

Between Security and Protection:  
Refugee Policy Dilemmas in Jordan

by

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### Introduction

According to the United Nations, there are currently more displaced persons and refugees than at any point in recorded history.<sup>1</sup> Because of ongoing conflicts in Syria, Iraq, and elsewhere, many states in the Middle East have created policy frameworks in response to large influxes of refugees in recent years. In 2015, then-U.N. High Commissioner for Refugees and present Secretary General of the United Nations Antonio Guterres said that “For an age of unprecedented mass displacement, we need an unprecedented humanitarian response and a renewed global commitment to tolerance and protection for people fleeing conflict and persecution.”<sup>2</sup>

Despite existing legal frameworks explicating states’ responsibilities toward refugees and persons facing war crimes or crimes against humanity, refugees’ access to protection across the world is shrinking.<sup>3</sup> Specifically, many limitations on refugees’ rights and livelihoods have arisen because states have growingly labeled refugees in terms of their potential for radicalization, terrorism, and security threats.

As a case study to evaluate refugee protection in light of modern political challenges, this thesis examines the limitations of organizations tasked with upholding refugee protection norms in Jordan. This thesis asks the primary question: why are refugee protection principles and the responsibility to protect (R2P) not being upheld for refugees in Jordan? It evaluates a number of obstacles in refugee

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<sup>1</sup> Sengupta, S. (2015). 60 Million People Fleeing Chaotic Lands, U.N. Says. The New York Times. New York, The New York Times.

<sup>2</sup> Ibid.

<sup>3</sup> Schiano, A. (2017). Before Trump Order, Syrians Already Faced Shrinking Spaces for Refuge. Syria Deeply. New York, News Deeply.

protection that have emerged and identifies new normative tensions in the international refugee regime, explaining that the Jordanian government's approach to refugees as a national security threat has limited the U.N. High Commissioner for Refugees' (UNHCR) and international non-governmental organizations' (INGOs) ability to uphold refugees' rights. This thesis also contextualizes the government's approach to refugees as a national security threat within Jordan's historical experience and concerns over domestic political stability, as well as securitization of refugees by the United States.

My research focuses on Jordan because it is a major refugee-hosting country where many U.N. agencies and INGOs with refugee protection mandates operate. Though Jordan historically had an "open-door" policy for receiving Syrian and other refugees, since 2013 it has closed its borders, leaving displaced Syrians living at the border in an area informally called the berm without access to humanitarian aid or the protection of a state. In addition, within Jordan, refugees do not have freedom of mobility and live at risk of deportation and detention. For some refugees, access to assistance is highly limited as state policies limit INGOs' and U.N. agencies' provision of aid.

I argue that state responses and policy frameworks for addressing forced migration pose a crucial limitation to refugee protection, particularly when the state approaches refugees as a national security threat. State narratives about refugees as a security threat or burden significantly affect how refugees are perceived, international organizations' ability to provide assistance, and the material conditions of refugees. Thus, scholarship must analyze states' adoption of national security-focused rhetoric

and policies concerning refugees. I analyze the context in which the state adopts this approach, as well as its implications for refugee protection.

States in part construct security threats based upon their pre-existing political scripts and their strategic incentives as rational self-interested actors. A script is a “common line of argument or an expected unfolding of events”<sup>4</sup> that “provides a rationale or justification for a particular issue or course of action.”<sup>5</sup> Examining how states’ strategic incentives and political scripts shape their interactions with aid agencies provides a crucial lens for analyzing the limitations of refugee protection. If states approach refugees as a security threat, this framework can prevent international organizations from upholding their protection mandates, influencing policy, and providing aid.

## **The International Refugee Regime and the Responsibility to Protect**

I build my argument about Syrian refugees in Jordan within a broader field of law and policy concerning the relationship between states and refugees. An entire area of domestic and international laws, conventions, and treaties outline states’ responsibilities to refugees.

The international refugee regime is “the organized international community’s collective response to refugees.”<sup>6</sup> Several legal protocols establish certain rights for refugees and responsibilities of states, including the 1951 Convention on the Status of

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<sup>4</sup> Vanclay, F. and G. Enticott (2011). "The Role and Functioning of Cultural Scripts in Farming and Agriculture." *Sociologia Ruralis* 51(3): 256.

<sup>5</sup> *Ibid.*, 256.

<sup>6</sup> Frelick, B. (2007). *Paradigm shifts in the international responses to refugees. Fear of persecution: Global human rights, international law, and human well-being*. Lanham, MD, Lexington Books, 33.

Refugees and the 1967 Protocol Relating to the Status of Refugees. The U.N. High Commissioner for Refugees (UNHCR) defines itself as the “guardian of the 1951 Convention and its 1967 Protocol,” charged with implementing these legal instruments “in ensuring that the rights of refugees are respected and protected.”<sup>7</sup> Refugee protection norms derive from these legal protocols, as well as other international human rights laws. Refugee protection includes principles such as non-refoulement (not deporting refugees to places where they may face torture), the freedom of mobility, and the right to asylum. I detail these and other refugee protection principles in Chapters 2 and 3.

In 2005, states again outlined their commitments to protecting persons from genocide and war crimes with the establishment of the Responsibility to Protect (R2P). At the 2005 United Nations World Summit, an agreement outlined the United Nations’ responsibility to intervene in order to protect populations “from genocide, war crimes, ethnic cleansing, and crimes against humanity.”<sup>8</sup> This decision expanded the role of the international community in humanitarian crises, allotting the United Nations more justification to intervene to counter the actions of its member states.

Considerable scholarship has been devoted to R2P after the Arab Spring, evaluating the influence of R2P in light of displacement in the Middle East since 2011. Susan Martin, Alise Coen and others have noted that R2P could serve to increase states’ responsibilities to refugee protection. Martin writes that R2P could

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<sup>7</sup> UNHCR. "The 1951 Refugee Convention." History of UNHCR. 2017, from <http://www.unhcr.org/en-us/1951-refugee-convention.html>.

<sup>8</sup> Martin, S. (2010). "Forced migration, the refugee regime and the responsibility to protect." Global Responsibility to Protect 2(1), 40.

outline expanded roles for UNHCR.<sup>9</sup> In addition, Brian Barbour and Brian Gorlick note that the debate surrounding implementation of R2P should move toward re-asserting refugee protection through measures such as upholding the right to asylum for victims of mass atrocity.<sup>10</sup> As Barbour and Gorlick note, though states have committed to the principle of R2P, in many cases such commitments have not been upheld due to a “lack of political will.”<sup>11</sup>

Similarly, Coen examines R2P in light of refugee protection for Syrians. She notes that an inadequate international response, both to support refugee populations within Jordan, Turkey, and Lebanon and to address the growing number of refugees crossing the Mediterranean, “signifies an important failure of R2P.”<sup>12</sup> Coen mentions that both the growing strain on communities in the Middle East and the narrative that refugees pose a security threat have posed practical obstacles to organizations attempting to uphold refugee protection.<sup>13</sup>

As noted by these scholars of R2P, developing further international norms outlining states’ responsibilities has not successfully yielded a recommitment by states to refugee protection. Instead, the intensity of the Syrian civil war and resulting displacement, as well as other recent instances of forced migration, demonstrate gaps in the norms and institutions governing international refugee protection concerning their ability to take into account states’ concerns over national security and stability,

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<sup>9</sup> Martin, “Forced migration,” 41.

<sup>10</sup> Barbour, B. and B. Gorlick (2008). “Embracing the ‘Responsibility to Protect’: A Repertoire of Measures Including Asylum for Potential Victims.” International Journal of Refugee Law **20**(4): 566.

<sup>11</sup> *Ibid.*, 566.

<sup>12</sup> Coen, A. (2015). “R2P, Global Governance, and the Syrian refugee crisis.” The International Journal of Human Rights **19**(8): 1044-1053.

<sup>13</sup> *Ibid.*, 1054.



which I explore in this thesis. This thesis examines specific obstacles in refugee protection and relates them to underlying factors such as historical experience, domestic instability, and securitization of refugees.

## **Human Security, Securitization, and National Security**

My analysis stems from two arguments based on existing literature about security. First, using securitization theory, I argue that states can employ rhetoric about security to justify certain policies affecting refugees, and discourses about security with regard to refugees can serve states' political goals. Second, I adopt an approach to security centered around individuals rather than states, building upon literature that argues international security rests upon human security.

Drawing from the Copenhagen School of securitization, I contend that security threats are in part socially constructed, making it necessary to critique the causes and impacts of states' discourse construing certain issues as issues of security. Securitization theory "is rooted in the basic idea that the existence and management of certain issues as security problems does not necessarily depend upon objective, or purely material conditions."<sup>14</sup> To securitize an issue, an actor constructs an issue as a security threat to the referent object (usually the state). This definition must be accepted by a target population. Subsequently, the issue is moved from "normal" to "emergency" politics. In practice, securitization often allows states to justify using extraordinary means to control a certain issue or population.

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<sup>14</sup> Balzacq, T., et al. (2015). "What kind of theory – if any – is securitization?" International Relations 29(1): 98.

In this thesis, I do not assume that all state actors fabricate all security threats with regard to refugees. Rather, I approach this study with the view that refugee influxes are complicated events with a variety of effects, which can be both disruptive and beneficial to host states in a variety of ways. Given evidence that refugees pose a multitude of effects to their host states,<sup>15</sup> I argue that state narratives about refugees (whether as a burden, security threat, or some other construction) merit academic analysis from a critical perspective. By approaching refugees as a security threat, states can justify restrictive refugee policy measures which pose an obstacle to refugee protection.

Second, in discussions about security in this thesis, I draw from theories on human security to assert that in part, the security of states rests upon the security of individuals. This thesis addresses the issue of security from a comprehensive human security perspective, meaning that security centers around individuals and includes many components other than traditional state-centered security studies. Human security is a broad concept, but Edward Newman provides a definition:

Human security is concerned with the protection of people from critical and life-threatening dangers, regardless of whether the threats are rooted in anthropogenic activities or natural events, whether they lie within or outside states, and whether they are direct or structural. It is “human-centered” in that its principal focus is on people both as individuals and as communal groups. It is “security oriented” in that the focus is on freedom from fear, danger and threat.<sup>16</sup>

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<sup>15</sup> See, for example, Karen Jacobsen’s 2002 paper which argues that “refugees’ pursuit of livelihoods can lead to increased human security in conflict-affected communities” and “humanitarian assistance can increase economic security in the refugee hosting area by supporting livelihoods and shoring up the rights of both refugees and their host communities.”

Jacobsen, K. (2002). "Livelihoods in Conflict: The Pursuit of Livelihoods by Refugees and the Impact on the Human Security of Host Communities." *International Migration* 40(5): 96.

<sup>16</sup> Newman, E., et al. (2003). Refugees and forced displacement: international security, human vulnerability, and the state. New York; Tokyo, United Nations University Press, 8.

A human security approach removes emphasis on militaries or state security forces as the primary actor in enforcing security, given that “states can threaten the security of the individual.”<sup>17</sup> This approach takes into account insecurity not typically associated with the state, such as vulnerability within refugee populations, and considers instances in which states threaten individuals’ security.

Further, human security literature recognizes that international security does not only rest upon state security:

Underlying much of the human security literature is a common belief that human security is critical to international security, and that international order cannot rest solely on the sovereignty and viability of states – that order also depends on individuals and their own sense of security. Placing the individual as the key point of reference, the human security paradigm assumes that the safety of the individual is the key to global security; by implication, when the safety of individuals is threatened, so too in a fundamental sense is international security.<sup>18</sup>

In this sense, analyzing refugee populations using a human-centered approach to security is worth considering, both inherently and because of the impacts of refugees’ human insecurity on international security.

Moreover, states can justify limiting refugees’ legal and economic rights and the work of international refugee protection organizations because of the argument that refugees threaten national security. Critically examining discourses about security yields important insights in that securitization has impacts on refugee protection: calling refugees a security threat can, and often does, justify limiting refugees’ rights and access to aid in a way that worsens human security conditions.

The human security of refugees has implications for international security.

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<sup>17</sup> Acharya, A. (2004). "A holistic paradigm." *Security Dialogue* 35(3): 355-356.

<sup>18</sup> Hampson, F. O. Ibid."A concept in need of a global policy response," 350.

## Case Selection

Jordan poses a “crucial case” for studying aid provision to refugees and refugee protection. Alexander George and Andrew Bennett define a case as a “an instance of a class of events.”<sup>19</sup> George and Bennett write that studying “single cases where a variable is at an extreme value can be very useful for heuristic purposes of identifying new theoretical variables or postulating new causal mechanisms.”<sup>20</sup> In Jordan, there have been many limitations on refugee protection that have emerged in light of the Syrian refugee crisis, and refugee protection norms and the responsibility to protect have not been upheld for multiple populations of refugees.

In addition, Jordan hosts an unusually high number of refugees, U.N. agencies, and INGOs, making the question of obstacles to aid provision and refugee protection especially pertinent. The UNHCR lists Jordan as hosting over 657,000 “persons of concern” including registered refugees, asylum-seekers and stateless individuals.<sup>21</sup> Estimates vary, however, and potentially up to a third of Jordan’s total estimated population of 9.5 million consists of “non-Jordanians” including Palestinians.<sup>22</sup> Refugees in Jordan face many vulnerabilities and obstacles to receiving aid or attaining sustainable livelihoods. Most cannot work, hold tenuous legal status as “guests,” and are vulnerable to detention and deportation. The dependent variable in this case study, obstacles to refugee protection, is therefore at

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<sup>19</sup> George, A. L. and A. Bennett (2005). Case studies and theory development in the social sciences. Cambridge, Mass, MIT Press, 17.

<sup>20</sup> *Ibid.*, 81.

<sup>21</sup> UNHCR (2017). "Syria Regional Refugee Response Inter-agency Information Sharing Portal." 2017, from <http://data.unhcr.org/syrianrefugees/country.php?id=107>.

<sup>22</sup> Ghazal, M. (2016). Population stands at around 9.5 million, including 2.9 million guests. The Jordan Times. Amman, Jordan, The Jordan Times.

an “extreme value” and fits George and Bennett’s methodology for choosing a useful case study.

Further, George and Bennett add that “a crucial case is one in which a theory that passes empirical testing is strongly supported and one that fails is strongly impugned.”<sup>23</sup> Jordan defies several existing explanations. Counter to Coen’s argument for failures of R2P due to lacking “political will,” there does exist considerable political will to provide aid to refugees in Jordan; refugee protection in Jordan is not a simple question of the international community’s level of support. For instance, some refugee camps in Jordan are largely empty.<sup>24</sup> Moreover, because each of the theoretical answers to this question which I discuss in Chapter 2 are impugned by empirical evidence, Jordan provides a “crucial case” for studying new mechanisms and causal paths for limitations to refugee protection.

## **Methodology**

This thesis is a theory-developing case study, meaning I “identify new variables, hypotheses, causal mechanisms, and causal paths.”<sup>25</sup> My argument in this thesis contains two parts.

First, through interviews with aid workers and officials in Jordan, I find the actual tensions and obstacles that exist for refugee protection and aid provision in Jordan. I use inductive reasoning from empirical evidence about refugee protection in Jordan to identify tensions and conflicting norms in refugee policy that have not

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<sup>23</sup> George and Bennett, *Case studies and theory development*, 9.

<sup>24</sup> Reznick, A. (2015). Jordan's Azraq Syrian refugee camp stands largely empty. *Al Jazeera*, Al Jazeera Media Network.

<sup>25</sup> George and Bennett, *Case studies and theory development*, 75.

previously been identified. I respond to literature about UNHCR and discuss specific policy dilemmas, situations in which UNHCR must choose between conflicting international norms, based upon empirical evidence. These policy dilemmas demonstrate specific ways in which refugee protection norms and aid provision are facing limitations, and how international organizations tasked with upholding refugee protection have chosen to comply with the state's policy agenda over monistically upholding their protection-based norms. I explain how these policy dilemmas derive from the state's national security paradigm for refugee policy.

Second, I draw together elements from existing theories to propose an argument that explains limitations of refugee protection. I create a theory deductively, building on securitization theory and theories of "ruling bargains" in the Middle East to create my own framework. I draw on these two areas of literature to argue that states employ political scripts about migration in the context of underlying political incentives, taking and justifying refugee policy measures in response to their strategic goals as rational self-interested actors. Finally, I extrapolate on these normative tensions and limitations for the international refugee regime to show how my case study has practical implications for policy and theoretical implications for the academic study of forced migration.

To answer my research question, I compiled empirical evidence from a variety of sources including field research and interviews, text analysis of congressional hearings, newspaper articles, NGO reports, and secondary literature. My field research in Jordan in August 2016 serves as the central source of original research in this thesis. In Jordan, I conducted interviews with aid workers and officials, including

officials working with international non-governmental organizations (INGOs), the U.N. High Commissioner for Refugees (UNHCR), local non-governmental organizations (NGOs), the International Organization for Migration (IOM), the World Food Programme (WFP), and others. In total, I conducted 21 in-depth in-person interviews. I spoke with individuals working in political advocacy, government relations, donor relations, protection, communications, and other areas, as well as workers involved in providing food aid, housing, education, and legal services. The individuals I spoke with had worked in Za'atari Camp, Azraq Camp, the border area (the berm), Amman, Mafraq, and other refugee-hosting areas.

In accordance with IRB approval, throughout this thesis I do not reveal individuals' names and positions within agencies. In many instances, due to the sensitive nature of INGO-state relations and in order to avoid placing any agency in a compromising position, I refrain from mentioning the name of the organization. Primarily, I asked aid workers questions about the obstacles to providing aid in Jordan and tensions they had faced between their organizations' monistic upholding of principles versus cooperating with government policies and strategies. My field research in August 2016 coincided with a number of political decisions surrounding the berm, Jordan's border area where over 80,000 displaced persons live, as well as the aftermath of an attack at the border.

In addition to interviews, I use other sources to build my argument. Reports and studies conducted by refugee protection and human rights NGOs provided empirical evidence about the shortcomings of aid provision and policy. Text and rhetoric from U.S. congressional hearings served as the basis for my argument

examining securitization of Syrian refugees and rhetorical shifts in how refugees are approached on an international scale. I also use secondary literature from a number of sources to discuss Jordan's history hosting refugees, the aftermath of the Arab Spring in Jordan, and the status and situation for refugees in Jordan. While literature on this ongoing and current issue is still developing, I built on conversations with scholars on Jordan, presentations at the Middle East Studies Association 2016 Annual Meeting, and newly published policy and analysis reports to develop my argument.

## **Significance**

Jordan as a case study has many elements in common with other modern refugee-hosting states. Many theories concerning migration and refugees were developed in response to the last major period of forced migration after World War II and to conflicts in sub-Saharan Africa in the 1990s. In the past several years, with the continuation of conflicts in Syria as well as Iraq, Sudan, and Somalia, refugee flows are growingly affecting states in the Middle East and North Africa.

There exist variables which appear in this case study concerning Jordan that affect multiple states across the region. For instance, many Middle Eastern states received Palestinian refugees in the second half of the 20<sup>th</sup> century, a historical experience which impacted their frameworks for addressing future cases of forced migration and refugees. In addition, states across the Middle East and North Africa were affected by challenges and protest movements in 2011, meaning refugee policy across these cases must be situated within theories about the Arab Spring. Finally, the influence of patron states or external actors has affected multiple regimes?



trajectories, and perceptions of the West affect policies across many cases in the region. Therefore, these aspects of this case study have implications for other cases and contribute to an emerging body of theory concerning refugees in the Middle East and North Africa.

This case study has both practical and theoretical significance, as well as policy implications. At the present moment, policymakers in countries around the world are considering how to respond to forced migration, including both its national security and humanitarian implications. Over 4 million refugees from the Syrian conflict alone are currently living in the Middle East and North Africa.<sup>26</sup> International organizations tasked with upholding refugee protection are facing many limitations in aid provision due to the political frameworks within which they operate. Therefore, further scholarship and analysis considering why and how these shortcomings have arisen is necessary. This thesis, which identifies normative tensions in refugee protection, analyzes how states utilize particular narratives about refugees, and contextualizes refugee policy decisions within states' strategic incentives, can considerably add to this ongoing conversation.

Academics, policymakers, organizations, and citizens alike would benefit from critically considering the discourses commonly used to discuss refugees, and how these scripts fit into actors' strategic and underlying goals. Mark Lynch notes in a March 2017 memo that,

The securitization of the refugee issue, understanding the problem primarily through the lens of security threats and radicalization, carries many costs. Radicalization captures very little of the lived experience of the vast majority of Syrian refugees. Most are ordinary people struggling to rebuild their lives

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<sup>26</sup> UNHCR (2017). "Middle East and North Africa." 2017, from <http://www.unhcr.org/en-us/middle-east-and-north-africa.html>.

from the ruins of overwhelming trauma. Treating these refugees primarily as potential security threats, whether through the destabilization of host countries or through recruitment into terrorism, does a profound injustice to their real problems.<sup>27</sup>

How states address refugees going forward will have significant impacts on international security. Beyond doing an injustice, securitization of refugees could prevent states and organizations from responding to pressing issues of human insecurity. Organizations, policymakers and institutions must consider how to respond to security and stability concerns while avoiding undue securitization of refugee populations.

## Chapter Overview

Chapter 2 gives an overview of relevant literature providing available answers for my research question. It reviews literature about limitations of refugee protection, including literature about the norms and structures of UNHCR and the international refugee regime, conflicting norms for UNHCR, analyses of refugees as a security threat, and the argument that refugees have been securitized. I am most directly responding to Myron Weiner's 1998 piece entitled *The Clash of Norms: Dilemmas in Refugee Policy*. I argue that new dilemmas for UNHCR have emerged due to state securitization of refugees, and that examining refugee policy dilemmas from a critical security studies perspective yields new tensions and dilemmas that Weiner and others did not consider.

Chapter 3 gives an overview of my theoretical argument and identifies specific instances of conflicting norms that arise for UNHCR and other refugee

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<sup>27</sup> Brand, L. and M. Lynch. (2017). Introduction: Refugees and Displacement in the Middle East. *Refugees and Migration Movements in the Middle East*. University of Southern California, Project on Middle East Political Science, 6.

protection INGOs. In many instances, these organizations face dilemmas in refugee policies in which complying with the state's national security agenda requires them to undermine their protection mandates. I argue that these dilemmas result from the state's national security paradigm in refugee policy, which emerges because the state draws on political scripts about refugees and makes decisions based upon its strategic goals. I demonstrate how these scripts and strategies emerged in the context of Jordan's history of migration policy, domestic stability concerns within Jordan, and international actors' growing securitization of Syrian refugees. The following chapters explain these three areas in which these scripts and strategies emerged.

In Chapter 4, using empirical evidence from interviews with INGO and U.N. officials, I examine how refugee protection organizations are complying with the state's national security- and stability-focused policy agenda and in some cases, compromising their monistic principles as a result. Using Weiner's approach of identifying "policy dilemmas" for UNHCR, I identify normative tensions. Each tension I identify arose due to state concerns over national security and stability. I discuss the implications of these policy dilemmas for refugee protection organizations. I show that refugee protection organizations are considering how to navigate their role in host countries' concerns over political stability and advocate for their monistic principles in a context where the state prioritizes national security.

Chapter 5 gives an overview of Jordan's historical migration policies, arguing that the state's national security-focused approach to refugee policies takes place within a particular historical context. Through Jordan's experience handling multiple refugee flows from a number of conflicts, the state developed scripts and institutional

strategies for addressing forced migration. Specifically, the instance of political violence that occurred after movement of Palestinian refugees into Jordan made officials more inclined to approach refugees as a security issue and potential political disruption. Further, Jordan's experience handling Iraqi refugees and practice of directing external aid into its internal institutions led it to develop strategies, at an institutional level, for enacting refugee policies directing international aid into Jordanian institutions.

In Chapter 6, I discuss concerns about domestic politics and stability that the Jordanian state has cited as its reasons for restricting refugee protection. This chapter discusses how aid agencies work within a specific domestic political context, in which concerns over political legitimacy and economic problems pre-date the influx of Syrian refugees. Specifically, I contextualize refugee policy within recent and potential disruptions to Jordan's "ruling bargain," using theories about the Arab Spring to argue that refugee policy decisions are made in the state's strategic interest in light of pre-existing political challenges.

In Chapter 7, I show that the U.S. has securitized Syrian refugees and that this construction has affected Jordan's political scripts and strategic interests concerning forced migration. Using rhetorical analysis of Congressional hearings conducted in the U.S. from 2011-2016, this chapter demonstrates how the U.S. has securitized the issue. I show how the U.S. has lent Jordan (a rentier state heavily influenced by U.S. foreign policy) rhetoric labeling Syrian refugees as a terrorist threat. This securitization by an influential actor legitimizes Jordan's increasingly restrictive refugee policies. These three interlinking factors (a history of migration, domestic

stability concerns, and international securitizing actors) all contextualize and explain Jordan's policy approach to refugee policy, demonstrating how the state's strategic incentives and political scripts shape its refugee policy decisions.

In Chapter 8, I suggest various implications of this case study for literature about international refugee protection and UNHCR. I respond to literature about INGO-state relations and "boomerang theory" based on my case study of INGO-state relations. Further, this chapter explains how this case study contributes to existing literature about Jordanian society and politics. Finally, I discuss implications for future trends in forced migration.

### **Normative and Security Obstacles**

In this section, I examine existing theoretical arguments explaining obstacles to refugee protection. The existing literature on this topic falls into four primary categories. Some arguments focus on the structural limitations of UNHCR without considering the policy frameworks in the states in which it operates, or the political contexts for these policies. Related literature emphasizes normative dilemmas that arise due to UNHCR's simultaneous commitment to conflicting international norms. Others focus on the idea that refugees inherently pose a threat to security in any state they enter, overlooking the more complex ramifications of refugee flows and the fact that states have used discourses of security to justify restrictive policies. Some arguments focus on security discourses by emphasizing that refugees have been securitized, but do not consider fully the implications of securitization or the political context in which it occurs.

#### *Norms, Structures and Limitations of Refugee Protection*

Literature on the limitations of refugee protection often focuses on shortcomings of the norms and institutions governing refugee protection. For instance, authors such as Dawn Chatty point to UNHCR's funding shortfalls to explain why protection principles are not upheld for refugee populations. Further, scholars such as Michael Barnett and Dallal Stevens show that inherently, UNHCR is a structurally limited institution with a narrow mandate, and relies on the cooperation of the international community. I acknowledge that UNHCR faces severe limitations,

often manifested by budgetary constraints. Yet the limitations of protection norms must be understood in context of political dynamics of refugee-hosting countries. Frequently, for instance, host countries of refugees direct a large proportion of U.N. aid funding into their internal institutions, or restrict refugees' legal rights in a way that does not stem from budgetary constraints alone. Thus, although these structural limitations matter, this area of literature does not sufficiently address the factors that cause host countries to limit aid agencies and restrict refugees' legal rights to protection.

First, Barnett and others note that protection of displaced persons faces inherent limitations based on the legal definition of a refugee and the history of refugee protection agencies, created to limit rather than increase states' responsibilities. A "refugee" is defined in the 1951 Convention Relating to the Status of Refugees as a person who,

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.<sup>1</sup>

The 1951 Convention led to the creation of the U.N. High Commissioner for Refugees (UNHCR), the U.N. agency tasked with upholding the Convention's principles. As Barnett notes, U.N. member states purposely created a narrow definition of a refugee to limit states' responsibilities to displaced individuals. Beginning as a small, underfunded agency which was only intended to handle the

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<sup>1</sup> UN General Assembly, *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189, 153, <http://www.refworld.org/docid/3be01b964.html>

refugee crisis after World War II, the UNHCR eventually operationalized the Convention in a broad way and expanded its operations to address refugee and displacement crises worldwide.<sup>2</sup>

In order to officially obtain legal status as a refugee and assistance from the UNHCR, individuals must undergo a registration process in which they disclose information about their specific, credible fear of returning to their home country. In some countries, UNHCR's registration process is a joint process with the host government, meaning UNHCR and the state share information. In other countries, the government can influence or dictate the UNHCR registration process. Political considerations and other limitations can prevent UNHCR from registering all refugees or can dictate who the UNHCR defines as a refugee.

Refugee protection and international humanitarian law (IHL) are both used to describe a broad set of internationally recognized norms. While IHL and refugee protection involve overlapping principles, they have distinct origins and meanings. IHL specifically refers to bodies of international law. Refugee protection refers to a set of activities, norms, and principles adopted by the international community concerning both the provision of material assistance and more broadly upholding the human rights of refugees. Despite the significance of this term and how frequently it is used by aid agencies to describe their mission, Dallah Stevens argues that the definition of refugee protection remains "elusive"<sup>3</sup> and has shifted over time.

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<sup>2</sup> Barnett, M. and M. Finnemore (2004). Rules for the world: International organizations in global politics, Cornell University Press, 73-74.

<sup>3</sup> Stevens, D. (2016). "Rights, needs or assistance? The role of the UNHCR in refugee protection in the Middle East." The International Journal of Human Rights **20**(2), 265.



This vagueness surrounding the concept of “protection” poses one potential limitation to UNHCR’s work. Within the 1951 Convention on the Status of Refugees, the word “protection” is used 15 times, but never defined.<sup>4</sup> As Stevens notes, protection has been defined as “legal protection” and described to include other human rights laws, namely the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.<sup>5</sup> Protection also includes a material component, which broadens refugee protection to include “means of subsistence, as well as shelter, health care and other basic necessities.”<sup>6</sup> Stevens argues that UNHCR and other aid and development NGOs in Jordan and Lebanon have accepted a “rights-based” approach to refugee protection, and broadened the scope of activities that can be considered part of “refugee protection.”<sup>7</sup> He concludes that more clarity is needed around the meaning and practice of “protection.”<sup>8</sup> Thus, Stevens poses another argument for a normative limitation of refugee protection: that protection is an inherently vague, ill-defined concept.

Refugee protection can encompass a variety of activities, including legal or material assistance. This definition is necessarily broad, as UNHCR and other international agencies’ definitions of refugee protection remain vague and varied. Nevertheless, because international aid organizations have a rights-based approach based in other international human rights laws to refugee protection, important tenets of refugee protection principles stem from a wide body of international laws, not only the 1951 Convention. The breadth of refugee protection does not diminish its

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<sup>4</sup> Stevens, “Rights, needs, or assistance,” 266.

<sup>5</sup> *Ibid.*, 266

<sup>6</sup> *Ibid.*, 267.

<sup>7</sup> *Ibid.*, 278.

<sup>8</sup> *Ibid.*, 278.

practical or theoretical significance. Rather, the term's vagueness reflects the history of UNHCR, as an organization which was intended to address one refugee crisis and grew to address dozens. Refugee protection has evolved as UNHCR expanded the breadth of its activities over time.

Although UNHCR has operationalized its mandate to include a wide variety of protection activities and successfully acquired funding to expand its reach across 128 countries worldwide, it remains a consistently under-funded agency which must cooperate with states and handle complex domestic political and security contexts in the countries in which it operates. Given that there are 60 million displaced individuals worldwide, the challenges for UNHCR given its structural limitations are many. Of course, upholding UNHCR's mandate and refugees' rights as outlined by the 1951 Refugee Convention are impossible tasks without a high degree of cooperation, funding, and protection-driven policies by states.

These structural limitations do pose obstacles to refugee protection, but they leave many important questions unanswered. Cooperation with UNHCR varies across cases greatly, and arguing that UNHCR faces structural limitations does not explain why refugees are afforded rights in some cases, but not others, or why some states cooperate with UNHCR and others do not. Because state cooperation is crucial to UNHCR's ability to uphold its mandate, a nuanced exploration of the obstacles to refugee protection must look at factors driving states' policy responses to displacement, not only the normative or structural limitations of UNHCR.

Specific to protection issues for Syrian refugees, many analysts explain shortcomings in the international response to Syrian refugees by pointing to

insufficient funding and cooperation by the international community. For example, Chatty notes that the U.N. system is inherently limited by funding shortfalls, stating that,

pledges to the U.N. are generally not being fully honored and the U.N. system is seeing a dramatic shortfall in actual funds earmarked for humanitarian assistance. To date only \$1,839,058,956 has been received by the UN leaving a gap of \$2,694,189, 302. Pledges have not matched actual donations and the U.N. is experiencing a 59% shortfall.<sup>9</sup>

Of course, U.N. and aid agencies in the Middle East face funding shortages. Yet simultaneously, considerable evidence shows that aid afforded to aid agencies is frequently directed into host states' internal institutions, as I explore in Chapters 3 and 4. In addition, donations and funding alone do not afford refugees legal rights; even if aid agencies could fully fund their programs for the Syrian refugee response, Syrians' access to sustainable livelihoods would still ultimately be limited by their lack of political and economic rights. Again, while UNHCR faces inherent limitations, refugee protection is also dependent on state policies and the extent to which states cooperate with UNHCR and afford refugees legal rights. Funding plays a role in any refugee response, but policy frameworks governing states' responses play a crucial long-term role.

Therefore, I take a policy-focused approach to the question of limited refugee protection for Syrian refugees. The limitations on refugee protection in a particular host country stem from its policies, which I argue emerge from the state's strategic goals and scripts outlining the treatment of refugees. Given these factors, states' responses can be explained within other political processes at work.

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<sup>9</sup> Chatty, D. (2015). The aid crisis for Syrian refugees. [openDemocracy](#). 2017.

In addition, I argue that studies on R2P and refugee protection should not only focus upon shortcomings in refugee protection norms being upheld in all circumstances, but also upon dilemmas in which international norm-propagating organizations undermine their protection mandates through decisions about refugee policy. Rather than only facing institutional limitations, UNHCR has faced significant policy dilemmas as a result of state policies, in which it must choose between cooperating with a host government and fully adhering to its own mandate. I explore literature on policy dilemmas for UNHCR in the following section.

### *“Clash of Norms” and Dilemmas for UNHCR*

Another area of theory on refugee studies considers UNHCR in terms of how it is committed to competing sets of international norms. In specific policy decisions, UNHCR therefore prioritizes some principles over others. This theory, pioneered by Myron Weiner, is a useful way to consider UNHCR and its case-by-case decision making. As UNHCR is a norm-propagating institution, considering how it undermines its mandate in certain decisions shows considerable faults in the international refugee regime. Yet similar to the literature on UNHCR’s structural limitations, theories on “clashing norms” overlook state-specific political contexts. The UNHCR operates in an entirely different political context from case to case, and often these policy dilemmas arise not only from conflicting norms but also from a state’s political interests.

With increased funding and global operations, UNHCR has faced challenges as both international norms and domestic considerations in its host countries became more complex. It has become difficult for UNHCR to make decisions based only

upon its charge to uphold the 1951 Refugee Convention. Weiner argued in 1998 that the UNHCR and other international aid organizations increasingly face “competing international norms,” which force them to decide “among equally unsatisfactory alternatives” in response to issues “for which there appear to be no satisfactory solution.”<sup>10</sup> Therefore, Weiner argues that UNHCR adopted a practice of instrumental rather than monistic humanitarianism.

Weiner builds on theories about international organizations’ roles as norm-propagating institutions. He notes that U.N. institutions “are charged with propagating the norms stipulated in the U.N. Charter, and the various human rights covenants adopted by the General Assembly and by U.N. organs.”<sup>11</sup> Agencies like UNHCR as well as the International Labor Organization and UNICEF therefore propagate a wider set of norms than each agency’s individual mandate. In addition, like all institutions which implement norms, UNHCR has “a dual responsibility: strict adherence to norms in their own conduct, and the responsibility of persuading governments and private bodies to conform to the norms.”<sup>12</sup> Though international conventions can influence states, UNHCR as a norm-propagating institution works to advocate and persuade governments to consider human rights and refugee protection principles, even as states prioritize other issues such as national security.

Monistic humanitarianism and instrumental humanitarianism can be understood as humanitarianism based on an ethics of responsibility versus an ethics of ultimate ends, respectively. Monistic humanitarianism is the approach that “the

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<sup>10</sup> Weiner, M. (1998). "The Clash of Norms: Dilemmas in Refugee Policies." *Journal of Refugee Studies* 11(4), 440.

<sup>11</sup> *Ibid.*, 435.

<sup>12</sup> *Ibid.*, 435.

agency should always take a 'principled stand' derived from its mandate to uphold and interpret refugee law.” Monistic humanitarians argue that “if norms must be broken—on refoulement for example—UNHCR should stand aside and leave the task to others.”<sup>13</sup> On the contrary, instrumental humanitarianism focuses on the outcome of specific actions rather than only the principles. According to Weiner, UNHCR adheres to instrumental humanitarianism rather than monistic humanitarianism, a case-by-case policy approach which allows for appropriate decisions to be made when conflicting norms arise.

Weiner describes nine specific tensions to illustrate that the UNHCR often must choose between only bad options, focusing on the tensions between conflicting norms. Weiner’s list of situations with conflicting norms are as follows: whether to close a refugee camp when some refugees are human rights violators, to give assistance when some assistance will be diverted for military use, to provide assistance when it may prolong a war, to cooperate with a host government while they carry out deportations, to maintain camps for refugees who will never be allowed to return to their home countries, to encourage refugees to return home when they may face violence or risk, to accuse war criminals if accusing them may prolong conflict, or to create safe havens that may prevent refugees from having the right to asylum.<sup>14</sup> Among his list of norms that could potentially come in conflict for international organizations, Weiner mentions that “while UNHCR is obligated to

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<sup>13</sup> Weiner, *Dilemmas in Refugee Policy*, 435.

<sup>14</sup> *Ibid.*, 439-440.

enforce the principle of non-refoulement, it also needs to cooperate with the host state and respect the norm of state sovereignty.”<sup>15</sup>

Weiner made important contributions bringing to light various ways in which UNHCR must handle policy dilemmas that arise from state sovereignty and other international norms. Yet I argue the fact that UNHCR faces a dilemma because it has committed to the norm of state sovereignty as well as its own mandate merits further analysis. In many situations, and in more complex ways than Weiner described, a refugee-hosting state’s policy agenda leads UNHCR to undermine its own mandate in pursuit of greater cooperation with the host state. Thus, literature on this topic must consider why a state pursues policies that limit refugee protection, as well as the policy dilemmas that arise as a result.

### *Impacts of Refugees on National Security*

In many cases, according to Weiner and others, states limit refugees’ rights and access to protection because of the security ramifications of hosting refugee populations. This area of literature draws together refugee studies and security studies to examine how refugees pose a security threat to states and how states respond accordingly. Yet the ideas of security in this literature focus only on national security and affirm states’ claims, in many cases, that refugees pose a security threat without considering that refugees may have more nuanced effects and can often serve as an easily available scapegoat for host governments. These studies do not address how states can strategically employ discourse construing refugees as a security threat, and

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<sup>15</sup> Weiner, *Dilemmas in Refugee Policy*, 438.

they could be expanded by considering other frameworks of security, including a constructivist approach.

In Weiner's other works, he argued that refugees constitute a significant threat to state security and are perceived as threats and burdens by states. Weiner acknowledges that societies understand security differently, and outlines a perception of security "not simply as protection against armed attack but more broadly as the absence of threat to major societal values."<sup>16</sup> Explaining why immigrants and refugees are viewed as a threat to state security, he argues that refugees and immigrants are "a source of international conflict," "a political risk to the host country," "perceived as a threat to cultural identity," "perceived as a social or economic burden," and finally that they can be "used as instruments for the achievement of political objectives" by external states.<sup>17</sup> Weiner's definition of security emphasizes the state and societal values.

In response to Weiner's piece which brought up the notion that refugees should be analyzed as a security issue, many academics have reflected this view in their analyses of refugee protection policies and implications of refugee crises for states. Some authors analyze tensions in refugee protection due to national security considerations, taking a state-centered approach to security. Building on Weiner's analysis, Beth Elise Whitaker wrote in 2013 about UNHCR in Tanzania, arguing that "in the face of complex refugee crises around the world, international organizations are increasingly caught between their humanitarian missions and geopolitical

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<sup>16</sup> Weiner, *Security, Stability and International Migration*, 12.

<sup>17</sup> *Ibid.*, 15-30.



dynamics.”<sup>18</sup> Through this process, Whitaker asserts that humanitarian agencies are developing a “strategic approach,” in which “political and security considerations have an increasing influence on refugee protection decisions.”<sup>19</sup>

Whitaker addresses critics who say human rights law has lost relevance as a result of this policy-driven approach, noting that refugee protection cannot be viewed as simply a deduction of human rights laws because political and security concerns have a role in creating refugee and migration situations.<sup>20</sup> Whitaker claims that “refugee situations are inherently political”<sup>21</sup> and that refugees may militarize or participate in conflicts, meaning UNHCR should approach refugee influxes and refugee protection norms with security as well as protection-based goals in mind.<sup>22</sup> Whitaker concludes that contextualization of refugee policies is not problematic and may actually lead to a more appropriate policy for the situation at hand.

By evaluating the case study of the Tanzanian government deporting Rwandan refugees, Whitaker builds on Weiner’s theoretical insight and goes into more detail about the tension between national security considerations and refugee protection principles. Whitaker, however, does not acknowledge that security is in part constructed, and takes a state-centered approach to her analysis of security. She affirms the notion that refugees necessarily pose a security threat to states, writing

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<sup>18</sup> Whitaker, B. E. (2003). Changing priorities in refugee protection. Problems of protection: The UNHCR, refugees, and human rights. N. Steiner, M. Gibney and G. Loescher, Psychology Press, 142.

<sup>19</sup> *Ibid.*, 144.

<sup>20</sup> *Ibid.*, 143.

<sup>21</sup> *Ibid.*, 144.

<sup>22</sup> *Ibid.*, 146.

that refugees are often “active participants in the conflicts”<sup>23</sup> and citing specific historical examples in which refugees have militarized or taken up arms.

Like Whitaker, several academics have argued that refugees pose a security threat. Sarah Lischer argues that refugee crises create an “expansion of war,” and includes several reasons why refugees pose a risk of spreading conflict into their host countries. According to Lischer, humanitarian aid agencies in refugee crises cause conflict by “feeding militants, sustaining and protecting militants’ dependents, supporting a war economy, and providing legitimacy to combatants.”<sup>24</sup> In addition, Lischer argues that refugees can cause violence of five types: “attacks between the sending state and the refugees, attacks between the receiving state and the refugees, ethnic or factional violence among the refugees, internal violence within the receiving state, and inter-state war or unilateral intervention.”<sup>25</sup>

Idean Salehyan also argues that refugees often cause strife in their host countries, stating that “negative externalities and cross-border violence often provoke tensions between states—refugee migration can lead to militarized interstate conflict.”<sup>26</sup> These arguments have been reflected in scholarship focusing on the negative impacts of refugee crises, as well as policy analysis and government rhetoric construing refugees as a security threat to states.

While Weiner, Whitaker and others make important contributions linking refugee studies with security studies, it is necessary to remain aware of how states use

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<sup>23</sup> Whitaker, *Changing priorities*, 146.

<sup>24</sup> Lischer, S. K. (2005). *Dangerous sanctuaries: refugee camps, civil war, and the dilemmas of humanitarian aid*. Ithaca, Cornell University Press, 6.

<sup>25</sup> *Ibid.*, 12.

<sup>26</sup> Salehyan, I. (2008). "The Externalities of Civil Strife: Refugees as a Source of International Conflict." *American Journal of Political Science* 52(4), 787.

instances of refugee-related conflict to justify certain policies restricting refugee protection. Calling refugees a security threat allows states to take measures to restrict their freedom of mobility or right to asylum. Even acknowledging that refugee-related conflict has occurred, studies of refugees and security would benefit from taking a more critical stance on the notion that refugees inherently pose a security threat and analyzing how these perceptions are often in part politically constructed.

This type of analysis, arguing that refugee influxes are inherently political and cause national security issues, is useful in some ways but oversimplified. Refugee movements have wide-ranging effects on receiving states. There are several examples where refugees have militarized or posed a threat to the host country, as these scholars have argued, but in many instances refugee influxes have also brought increased assistance and economic security to their new states.<sup>27</sup> States who receive refugees often faced political, economic, or social challenges prior to a refugee influx,<sup>28</sup> and states can scapegoat these ongoing problems onto a newly arrived refugee population. Analyzing only refugees' impacts in terms of national security problems can lead academics to overlook instances in which states can strategically use rhetoric construing refugees as a security threat.

The widespread idea in existing policy analysis that refugee influxes pose a national security threat also gives validity to states' securitization of refugee populations. So long as analysis on the subject reinforces that refugees necessarily pose a security threat, host states will appear justified in limiting refugees' rights due to national security concerns. This concept can be damaging for aid agencies' actual

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<sup>27</sup> Jacobsen, "Livelihoods in conflict," 96-97.

<sup>28</sup> *Ibid.*, 100.

work and advocacy in receiving countries of refugees. While I will not argue the extent to which refugees in Jordan actually pose a security threat or try to assess the validity of the Jordanian state's actions, I adopt a critical approach to security studies to acknowledge how notions that refugees pose a security threat can actually serve states' strategic goals. Academics in the following section employ critical theory to analyze how refugees have become securitized, or constructed as a security threat.

### *Securitizing Refugees*

Other scholars, including Reinoud Leenders, Anne Hammerstad, and Scott Watson, have examined the perception that refugees pose a security threat, arguing that refugees are socially constructed as a security issue. These authors have analyzed how refugees were securitized since the Cold War and how UNHCR responded to the growing perception that refugees pose a security threat. Moreover, the broader securitization of refugee issues, and how securitization creates new policy dilemmas for UNHCR, requires further analysis in the field of refugee and security studies. Though the literature of constructivist security studies concerning refugees shows that states can construct notions of refugees as a security threat, this scholarship would also benefit from more thorough analysis of the political context in which securitization arises, and the actual impacts of securitization on refugee protection.

Constructivist security studies argue that there exist no objective security threats. Rather, security threats are socially constructed by an actor, often the state.

As Alexander Wendt argued, “security is what states make of it.”<sup>29</sup> Securitizing an issue justifies taking extraordinary means to solve it, moving an issue from “normal” into “emergency” politics. Analyzing security threats from a constructivist perspective allows for a more nuanced analysis of refugee policy responses. States can purposefully create a widespread sense that a refugee population poses a security threat and doing so in some cases serves the state’s interests.

Leenders specifically analyzes the question of how and why refugees are perceived as a security threat. Analyzing the case of the Iraqi refugee crisis following the 2003-2010 American invasion of Iraq, Reinoud Leenders argues that refugees have increasingly been defined with a “refugee warriors” vs. “war refugees” dichotomy, which constructs refugees as either victims or military threats.<sup>30</sup> When the 1951 Refugee Convention was written, Leenders writes that the international community almost universally perceived refugees as victims of war and a population that host countries must protect.

However, after the Cold War, academic and political understandings of refugees shifted. Now, Leenders argues “we are told that refugees have increasingly and alarmingly developed violent traits and, when given the chance to organize and mobilize, turned into security threats to their host countries.”<sup>31</sup> Leenders also notes that the perception and rhetoric that refugees pose a security threat may be damaging and overstated. Pointing to the case of Iraqi refugees in Jordan, Leenders argues that “instead of blinding themselves with anxiety about the improbable emergence of

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<sup>29</sup> Hammerstad, A. (2014). The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection and Security. Oxford, Oxford University Press, 37.

<sup>30</sup> Leenders, R. (2009). "Refugee Warriors or War Refugees? Iraqi Refugees' Predicament in Syria, Jordan and Lebanon." Mediterranean Politics 14(3), 344.

<sup>31</sup> *Ibid.*, 345.

refugee warriors, students of refugee crises and humanitarian aid professionals would better spend their efforts on designing a ‘ladder of options’ to prepare for these and related challenges.”<sup>32</sup>

Providing a case study of state securitization of refugees, Watson showed in 2009 how two states, Canada and Australia, securitized refugees, and how securitization allowed the state to restrict the rights of refugees and asylum seekers. Watson used media analysis to prove securitization of refugees, showing how popular media outlets either provided humanitarian or security threat narratives of asylum-seekers in the two countries. Watson’s account is an important lens into how states with liberal governments have securitized refugees, and how this shift in discourse leads states to undermine international agreements outlining their responsibilities to refugees.<sup>33</sup>

This thesis will draw upon Watson’s theoretical framework for analyzing securitization when analyzing the securitization of Syrian refugees by the U.S. government since 2011. Like Canada and Australia, the U.S. has taken Syrian refugees outside of “normal” politics due to a narrative that Syrians pose an existential threat to U.S. security. Watson’s discussion of how to define “normal” refugee policies, his use of empirical evidence from the statements of elite actors, and his categorization of portrayals as “humanitarian” or “security” focused are discussed in Chapter 7.

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<sup>32</sup> Leenders, *Refugee Warriors or War Refugees*, 359.

<sup>33</sup> Watson, S. D. (2009). The securitization of humanitarian migration: Digging moats and sinking boats, Routledge.

In response to this broader shift in discourse and securitization of refugees across many different states, UNHCR also began to construe refugees as a security issue. Hammerstad acknowledges that UNHCR's securitization of refugee influxes paralleled the securitization of refugees by states and policy analysts. Before 9/11, Hammerstad shows that UNHCR shifted to speak about refugees and migrants as a security burden to states in order to stay relevant to states that already viewed refugees as a security threat. Yet, Hammerstad argues that after 9/11, fears of refugees causing security issues became compounded by perceived threats from non-state actors and terrorist groups.<sup>34</sup>

Hammerstad argues that because UNHCR securitized refugees in its rhetoric, "it became increasingly difficult for UNHCR to hold on to a belief that its own security discourse could modify states' perceptions of their security interests. Far from it, by employing the language of security itself, there was a risk that UNHCR was helping to legitimize states' use of security reasoning to limit refugees outside their country of origin."<sup>35</sup> Hammerstad's article brings a new dimension to Weiner's analysis that UNHCR is committed to both state sovereignty and refugee protection, showing that beyond respecting state sovereignty, UNHCR has actually contributed to the securitization of refugees that began after the Cold War and intensified after 9/11.

It is necessary to understand the impact of securitization on refugee protection: politically constructing refugees as a national security threat limits the ability of refugee protection organizations to promote refugees' human security.

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<sup>34</sup> Hammerstad, A. (2014). The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection and Security. Oxford, Oxford University Press.

<sup>35</sup> Hammerstad, *UNHCR and the Securitization of Migration*, 252.

Constructivist and human security approaches to the topic of refugee protection show a different angle on obstacles to protection than the previous literature. Yet it is also necessary to consider the social and political drivers of securitization, and its actual impact on refugee policy.

### *Contributions to existing literature*

This thesis draws upon these existing areas of literature to analyze why policies emerge that restrict refugee protection, and the impacts of these policies for UNHCR and other international organizations. Drawing on Weiner, I show specific policy dilemmas that arise for UNHCR and INGOs in Jordan in order to demonstrate the impacts of Jordan's national security-focused policy approach on refugee protection. I contextualize this securitized rhetoric and discourse surrounding refugees within political dynamics, specifically employing "ruling bargain" theories of the post-Arab Spring Middle East and North Africa to analyze how approaching refugees as a national security crisis serves states' strategic goals. Building on literature of critical securitization studies, I analyze the impacts of U.S. rhetoric that constructs refugees as a national security issue.

This thesis builds upon the existing literature about refugee studies and security studies in several ways. First, it builds on Weiner's theory of UNHCR and instrumental humanitarianism, identifying ways in which states intervene with UNHCR's work and create policy dilemmas. This thesis adds to the existing literature on how refugees have been securitized and discusses the context for, and implications of, this construction. Finally, it contributes to literature about the current effectiveness



of refugee protection, and contextualizes and analyzes the shortcomings of the international refugee protection regime.

The ways in which refugee protection has changed with the onset of Syrian displacement makes this thesis an important contribution to the current literature. Syrian refugees have been constructed as a national security threat in host countries around the world, and it is necessary that literature on refugee protection analyze this construction. States frequently use rhetoric calling Syrians a national security threat in order to justify restricting Syrian refugees' access to protection. In addition, states in the Middle East and North Africa are hosting the vast majority of the world's refugees. Many of these states are facing domestic political challenges as a result of the Arab Spring, and disruptions to state stability must be considered in analyzing how these states respond to refugees.

Finally, studies of refugee protection must also address how UNHCR's ability to uphold refugee protection faces especially severe limits when the state cites national security. UNHCR cannot intervene in issues regarding a host country's national security, and in most instances, it has no option but to comply with the state's security agenda. This leaves significant gaps in refugee protection. Thus, securitization of refugees may actually point to a significant fault line in refugee protection work today, which is worth considering in literature on the subject. As Antonio Donini concluded, it is possible that "organized humanitarianism... is poorly equipped to adapt to a more complex, insecure, and threatening world" in which discourse on national security threats pervades aid provision.<sup>36</sup>

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<sup>36</sup> Donini, A. (2016). The crisis of multilateralism and the future of humanitarian action. IRIN News. Geneva, IRIN News.

### **Dilemmas and the National Security Paradigm**

While previous authors have focused on the structural limitations of UNHCR or the inherently destabilizing effects of refugee crises to explain obstacles to refugee protection, I focus on the policy responses of states, which have not been sufficiently addressed in the existing literature. I argue that refugee protection for Syrian refugees in Jordan is not being upheld because the state has approached refugees as a security threat. I propose a two-part argument about refugee protection in Jordan, addressing the context in which the state has chosen to address refugees as a security threat and the impacts of this approach on international organizations' ability to uphold refugee protection norms. First, I identify normative tensions for refugee protection organizations in Jordan not addressed in the existing literature. Second, I explain that these tensions are the outcome of the state's adoption of a national security paradigm in refugee policy, which it has adopted due to its incentives as a rational self-interested actor and political scripts to approach refugees as a security threat.

Based on empirical evidence from interviews with refugee protection organizations in Jordan, I identify normative tensions between refugee protection principles and state decisions made in the interest of national security and stability, which yield dilemmas in refugee policy for UNHCR and INGOs. Building on Weiner's theory of refugee policy and the policy dilemmas he identified in which UNHCR faces a clash of norms and must prioritize one norm over another, I introduce new dilemmas in which UNHCR and refugee protection INGOs transgress their monistic principles and undermine their roles as norm-propagating institutions.

Empirical evidence from my field research demonstrates that each of these dilemmas directly stems from the state's approach to refugees as a national security and stability issue.

The second part of my argument explains the sources of these policy dilemmas and argues that these normative tensions are driven by the state's adoption of a national security paradigm. A national security paradigm in refugee policy is an approach to refugee policy in which "refugees are devalued to the point where providing asylum or intervening to provide source-country solutions are trumped by the desire to keep terrorists out."<sup>1</sup> As defined by Bill Frelick, the national security paradigm contrasts the exilic paradigm (which emphasizes refugees' rights in exile) and the source-country paradigm (which prioritizes intervening in conflicts).<sup>2</sup> Under this paradigm, states prioritize national security concerns over humanitarian concerns. As a result, states tighten travel restrictions on refugees, increase border security, and take other measures that limit refugees' access to protection.<sup>3</sup>

This approach to refugees is shaped by the state's political scripts concerning refugees and its strategic interests. Scripts "provide outlines for how to act in emergent situations."<sup>4</sup> I adopt Frank Vanclay and Gareth Enticott's definition of a "script" as "a culturally shared expression, story or common line of argument, or an expected unfolding of events, that is deemed to be appropriate or expected in a

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<sup>1</sup> Frelick, B. (2007). *Paradigm shifts in the international responses to refugees. Fear of persecution: Global human rights, international law, and human well-being*. Lanham, MD, Lexington Books: 47.

<sup>2</sup> *Ibid.*, 33

<sup>3</sup> *Ibid.*, 54-55.

<sup>4</sup> Smith, M. and P. Yachnes (1998). "Scholar's playground or wisdom's temple? Competing metaphors in a library electronic text center." *Library trends* 46(4): 718.

particular socially defined context, and that provides a rationale or justification for a particular issue or course of action.”<sup>5</sup> In particular, political scripts are “obtained via powerful state-sponsored mediums.”<sup>6</sup> State actors’ arguments that refugees pose a threat to national security or an economic burden, which provide rationales for refugee policy decisions, constitute political scripts.

Scripts are important to consider with regards to security threats because labeling an issue as a security threat has ramifications for how certain issues are addressed. As Carsten Bagge Laustsen and Ole Waever argue, “By saying the words, something is done...It is by labeling something a security issue that it becomes one.”<sup>7</sup> Calling refugees a security threat justifies restrictive refugee policies and limits the influence of international law, as I detail in Chapter 4.

The state’s scripts and strategic incentives for addressing refugees derive from its history with migration and refugee influxes, internal political dynamics, and how refugee populations are rhetorically constructed on an international scale. Thus, I contextualize Jordan’s adoption of a national security paradigm in refugee policy within its historical, domestic, and international context. This chapter outlines the theoretical argument and framework of this thesis. It provides an overview of how political scripts and strategic goals drive state policy responses to refugees and therefore, limitations and normative tensions in refugee protection.

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<sup>5</sup> Vanclay, F. and G. Enticott (2011). "The Role and Functioning of Cultural Scripts in Farming and Agriculture." *Sociologia Ruralis* **51**(3): 256.

<sup>6</sup> Godreau, I. P. (2015). *Scripts of Blackness: Race, Cultural Nationalism, and US Colonialism in Puerto Rico*, University of Illinois Press, 15.

<sup>7</sup> Bagge Laustsen, C. and O. Wæver (2000). "In defence of religion: Sacred referent objects for securitization." *Millennium* **29**(3): 708.

## Norms in Conflict: Refugee Policy Dilemmas

Based on empirical evidence, I identify multiple tensions that arise between refugee protection norms and the policy context in which organizations propagating these norms operate, creating policy dilemmas for UNHCR and international protection-based organizations more broadly. I drew on interviews with workers from INGO and U.N. agencies to derive these dilemmas, which I discuss in greater detail in Chapter 4. I also show from empirical evidence how each of these policy dilemmas stems from the state's national security paradigm in refugee policy.

### *Providing aid to refugees vs. to local nationals and institutions*

UNHCR's mandate is to provide international protection to refugees and includes additional provisions to provide protection to asylum-seekers and other persons of concern. Moreover, its mandate specifically involves interceding where a state does not already provide its citizens with protection. UNHCR's mandate reads:

The High Commissioner's core mandate covers refugees... Given the particular character of refugees as people who lack the protection of their own countries, the High Commissioner was established as the legal entity to be able to intercede on their behalf, as best illustrated by his supervisory responsibilities in respect of international refugee instruments. The refugee mandate applies in both emergency and non-emergency asylum-seeker and refugee situations.<sup>8</sup>

Other refugee protection INGOs reflect UNHCR's emphasis on refugees and providing protection where the state cannot. Norwegian Refugee Council describes its

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<sup>8</sup> UNHCR. "Note on the Mandate of the High Commissioner for Refugees and his Office." 2017, from <http://www.unhcr.org/en-us/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html>, 3.

work as, “an independent humanitarian organization helping people forced to flee,”<sup>9</sup> while the International Rescue Committee self-describes as an organization which “responds to the world's worst humanitarian crises, helping to restore health, safety, education, economic wellbeing and power to people devastated by conflict and disaster.”<sup>10</sup> With the exception of INGOs like ACTED and CARE whose mandates explicitly focus on development as well as humanitarian and refugee aid, most INGOs aim to assist refugees and displaced people with the justification that these populations lack the protection of a state.

These legal mandates and expressed principles lead me to conceptualize, broadly, that there exists a norm in international refugee protection organizations to provide aid to individuals because they lack protection from a state, and therefore require assistance from the international community. When host states of refugees implement policies requiring that international protection organizations provide aid and funding to communities of local nationals, this poses a tension between the principles of refugee protection and the policies of the host governments with which aid organizations must work. I argue that this tension creates policy dilemmas for refugee protection INGOs.

*Distributing aid based on vulnerability vs. prioritizing certain nationalities*

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<sup>9</sup> NRC. "Who we are: About us." 2017, from <https://www.nrc.no/who-we-are/about-us/>.

<sup>10</sup> IRC (2017). "The IRC: Who We Are." 2017, from <https://www.rescue.org/who-we-are>.

The above policy dilemma also relates to another normative tension. Notably, the international refugee regime and the 1951 Convention identify refugees in a manner that equally applies to individuals from all nationalities. Individuals are refugees based upon their meeting the definition of a refugee, and which state they fled from theoretically does not change their status. Yet in practice, aid organizations frequently hierarchize providing aid based on national origin rather than vulnerability. As Rochelle Davis writes, “international agencies and host countries...have created refugee aid regimes that structure their services based on citizenship. This structure creates a hierarchy of service provision that often addresses immediate refugee flows, but ignores or normalizes as less needy those who come from situations of protracted displacement.”<sup>11</sup> In practice, the international refugee regime does not address all refugee flows equally, and differences in how refugee populations from different national origins are treated arise from state concerns over national stability, as well as shortages in funding as international organizations direct aid into the internal institutions of refugee hosting states.

### *Freedom of mobility vs. refugee encampment or refugee detention*

The Covenant on Civil and Political Rights states that “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence,”<sup>12</sup> establishing freedom of mobility as a fundamental human right. As noted by Weiner and Stevens, UNHCR is

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<sup>11</sup> Davis, R., et al. "Sudanese and Somali Refugees in Jordan." *Middle East Report* 279.

<sup>12</sup> U.N.G.A. (1966). International Covenant on Civil and Political Rights. Resolution 2200A. U. N. G. Assembly, U.N. Office of the High Commissioner for Human Rights.

beholden to international human rights laws and norms, and protection-based INGOs almost unilaterally describe their work as “rights-based” or upholding human rights. Yet practically, states frequently utilize refugee encampment as a way of limiting refugees’ mobility and residence within the host country. Camps can serve as a form of detainment in certain circumstances where refugees’ mobility is highly constricted. UNHCR and INGOs are often called upon to take part in building, managing, and maintaining camps. UNHCR also frequently takes part in the registration and information-gathering processes that allow the state to continue encampment and restricting mobility of refugee populations. Therefore, I contend that there exists a normative tension between the rights-based approach of UNHCR and INGOs which includes upholding the freedom of mobility, and the policy decisions by the state which require UNHCR and INGOs to become involved in restricting the mobility of refugees.

*Non-refoulement vs. material assistance in deportations, incentivizing refugees to move closer to an active war zone*

Non-refoulement is the principle, included in many international human rights laws and conventions, that refugees are not deported or sent back to countries in which they will face torture. UNHCR notes in its 1977 Note on Non-Refoulement that,

The most essential component of refugee status and of asylum is protection against return to a country where a person has reason to fear persecution. This



protection has found expression in the principle of non-refoulement which is widely accepted by States.<sup>13</sup>

Although non-refoulement is principally outlined in the 1951 Convention, states not signatory to the 1951 Convention are also committed to non-refoulement through other conventions and treaties. The principle of non-refoulement is included in multiple regional treaties (including conventions on human rights and refugees in Africa, the Americas, and Asia) and the 1984 Convention on Torture. Non-refoulement marks one of the key principles governing the treatment of refugees by states.

Nevertheless, as Weiner argues, when states deport refugees, violating the principle of non-refoulement, it raises the question of whether UNHCR should provide material assistance to the state in conducting deportations. In some circumstances, the conditions for refugees would improve if UNHCR took part in carrying out or assisting with the deportations, yet a monistic approach to UNHCR's decisions would require that UNHCR take no part in activities which transgress its mandate. In addition to UNHCR, I contend that other INGOs whose work is contingent upon government approval also face this normative tension and policy dilemma over whether to provide material assistance in the case of deportations. I also discuss whether deportations that take place in areas or facilities managed by UNHCR, which require UNHCR's compliance but not direct assistance, pose a policy dilemma for UNHCR, based on empirical examples in which this has occurred.

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<sup>13</sup> UNHCR (1977, 08/23/1977). "Note on Non-refoulement." 2017, from <http://www.unhcr.org/en-us/excom/scip/3ae68ccd10/note-non-refoulement-submitted-high-commissioner.html>.

In addition to Weiner's proposition that providing material assistance in the case of deportations poses a policy dilemma for UNHCR, I argue that in complex humanitarian emergencies, UNHCR can also transgress against the principle of non-refoulement by incentivizing refugees to move further into an active conflict zone. Empirically, as the state's national security paradigm has involved closing a border to refugees, UNHCR has employed the tactic of moving aid distributions from the border area closer to an active conflict zone in order to incentivize refugees not to cross into the host state.

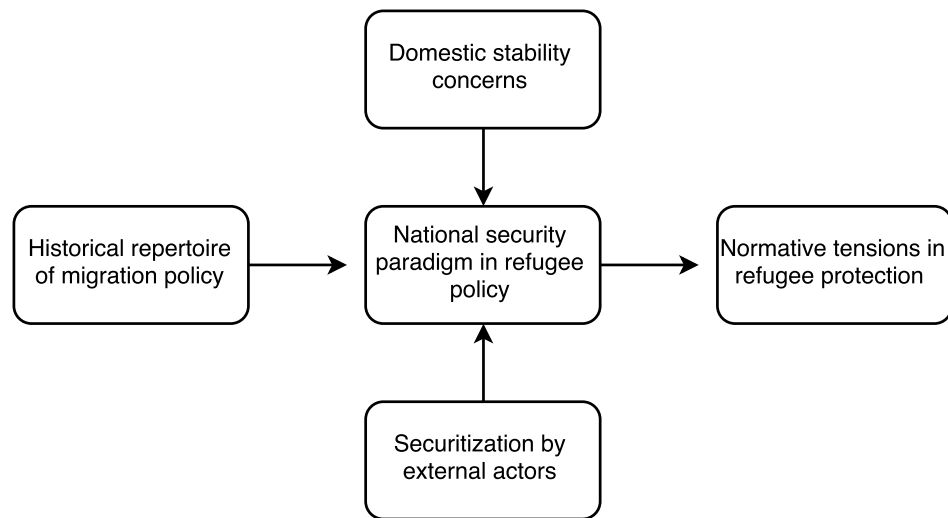
Some UNHCR officials argued in my interviews that there exist questions over whether someone who has not been able to cross a border due to states closing their borders is actually a refugee. Nevertheless, I argue that this practice still comes into tension with the legal principle that no person facing persecution based on the five protected legal categories should be forced to move back to a country where they will face persecution, whether that be because of deportation or needing to move there in order to receive aid. Moreover, I both revisit Weiner's contention that material assistance in deportations poses a normative tension and policy dilemma for UNHCR, and propose an additional dilemma with the principle of non-refoulement concerning cross-border aid distributions in an active conflict zone.

### **Situating Policy Responses to Refugees**

Figure 1 displays the second part of my argument, concerning the elements underlying the state's adoption of a national security paradigm in refugee policy. Each of the three factors listed contribute to the state's scripts concerning refugees

and its strategic interests in determining refugee policy. I argue that state policies in response to a given refugee crisis build upon its history with migration, both in the scripts associated with forced migration and in the strategies developed by institutions to address refugees. In addition, state responses to international organizations and refugees depend on its strategic incentives related to its internal political dynamics. Finally, I contend that in a refugee-hosting state where external actors wield a large amount of influence, these intervening states' securitization of refugees impacts the host state's political scripts and strategic incentives for addressing refugees.

*Figure 1: Causes and consequences of national security paradigm in refugee policy*



## *Historical repertoire of migration policy*

How migrants and refugees are perceived and treated within a society over time affects policies toward subsequent influx of migrants and refugees. Refugee policies arise in specific social and political circumstances and carry strong historical and institutional legacies. Matthew Goldman argues in a recent manuscript that “previous episodes of forced migration have created repertoires of refuge, political scripts governing appropriate state responses to forced migration.”<sup>14</sup> Though refugee crises are inherently emergency situations, most states have established “normal” frameworks for addressing refugee crises, which can manifest in their asylum and refugee registration procedures, adherence to the 1951 Refugee Convention, resettlement or aid programs, and cooperation with UNHCR. Moreover, analysis of a state’s policies toward a particular refugee crisis should establish areas of continuity with previous approaches to refugee populations and acknowledge that refugee policies do not emerge in a vacuum.

To show how Jordan adopted a national security paradigm in refugee policy, I contextualize its current policies within its history of responding to previous refugee crises. As Isar Godreau notes, political scripts stem from states’ propagating particular understandings of historical events.<sup>15</sup> Political scripts emerged during Jordan’s history with forced migration and political violence, defining refugees in terms of their potential for posing a threat to security and stability. In addition, Jordan’s government developed institutional strategies for maximizing the state’s

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<sup>14</sup>Goldman, M. (2016). Repertoires of Refuge: Explaining Divergent Responses to Refugees in Turkey, Jordan, and Lebanon. Middle East Studies Association 2016 Annual Meeting, Boston, MA.

<sup>15</sup> Godreau, *Scripts of Blackness*, 15.

benefit from external aid during previous refugee crises. These political scripts, combined with strategies adopted at an institutional level, constitute a historical “repertoire” for how the state addresses refugees.<sup>16</sup>

### *Domestic (in)stability and refugee policy*

I argue that the state makes refugee policy decisions based in part upon its strategic incentives. The state’s goals, as a rational self-interested actor, derive largely from its domestic political concerns over stability and maintaining power. Some scholars, namely Whitaker, have established that domestic politics play a role in refugee policy.

Mahran Kamrava defines a ruling bargain as an implicit agreement underlying political rule in the Middle East and North Africa, in which “citizens surrender their political and social rights to participatory government. They are expected to accept the legitimacy of the ruling regime, however grudgingly, and are rewarded with a variety of goods and services in return.”<sup>17</sup> Specifically, I contend that when the state’s ruling bargain faces potential disruptions due to long-term structural issues, as in the case of Jordan, construing refugees as a burden and national security threat and implementing restrictive refugee policies can serve as a beneficial strategy to the state. Policies created in response to concerns over political instability are framed in terms of their national security justifications, as the state often prefers to emphasize

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<sup>16</sup> Goldman, “Repertoires of Refuge.”

<sup>17</sup> Kamrava, M., et al. (2014). Beyond the Arab Spring: the evolving ruling bargain in the Middle East. Oxford; New York;, Oxford University Press, 2.

an external threat to state stability and security (refugees) to quell mobilization against the state.

I identify four strategic goals of the Jordanian government that situate and affect its national security paradigm in refugee policy. The state pursues narratives and policies approaching refugees as a security threat to attract external aid, detract from structural problems, prevent cross-sectional mobilization, and maintain a demographic balance. In addition, where states see a challenge to their authority, such as protests or riots, they are likely to restrict the work of UNHCR and INGOs and limit refugees' participation into society. This often occurs because states perceive refugees as a potential driver of resentment, protest, or challenge to authority and the integration of refugees as a potential disruption to the existing ruling bargain.

### *International securitization*

Finally, how refugees are constructed on an international scale also contributes to the scripts and strategies underlying the state's national security paradigm. I build on critical securitization studies of humanitarian migration to show that state securitization of refugees by the U.S. lends securitized political scripts linking refugees with the threat of ISIL to Jordan. Constructions of refugees as a national security threat justify restrictive policies and remove strategic incentives to comply with protection-based norms. Providing a case study of state securitization of refugees, Watson showed in 2009 how two Western states, Canada and Australia, securitized refugees, and how securitization allowed each state to restrict the rights of refugees and asylum seekers.

My theoretical contribution to securitization theory and to Watson's argument is to examine how securitization by an aid-providing state can play a role in an aid-dependent rentier state's policies. Building upon Watson's view that "social context" matters in the securitization of humanitarian migration, I argue that this securitization by influential states has an impact on the refugee policies of smaller states like Jordan who hold far less power on an international scale and host large numbers of Syrian refugees. In rentier states, rhetoric by patron states wields influence; securitization and the resulting move of refugees outside the realm of "normal" politics by an external actor play a role in furthering the aid-dependent state's emphasis on national security in its own policy approach toward refugees. This international context, constituting of rhetoric which moves refugees outside existing international norms into "emergency politics," furthers states' national security paradigm in refugee policy and undermines refugee protection norms.

### **Rights, Access and the Berm**

The INGO and U.N. officials interviewed for this thesis revealed ways in which their work is limited by political and security considerations. This chapter provides empirical evidence to show how Jordan's national security paradigm creates policy dilemmas for UNHCR and INGOs. As Weiner argues, a policy dilemma for UNHCR arises when it has "no good options" for refugee policy and must choose between two unsatisfactory alternatives. Weiner argued these dilemmas occur when UNHCR must choose between conflicting norms. Building on Weiner's theory, I identify new obstacles to refugee protection that have not previously been addressed. I argue that these policy dilemmas have arisen due to the state's adoption of a national security paradigm in refugee policy and that UNHCR and INGOs are complying with the state's security agenda and undermining their own mandates. I explore the sources of these policy dilemmas in Chapters 5, 6, and 7.

First, in this section I outline the various roles of specific institutions involved in refugee policy in Jordan. I explain the norms and strategies of UNHCR, INGOs, and various bureaucratic institutions in creating and implementing refugee policy. Second, based on empirical evidence from interviews with aid agencies in Jordan about their policy decisions, I argue that four specific refugee policy dilemmas have emerged in the period of forced migration into Jordan during the Syrian civil war: providing aid to refugees vs. providing aid to local nationals and institutions, providing aid to refugees based on vulnerability vs. prioritizing certain nationalities,



freedom of mobility vs. refugee encampment, and non-refoulement vs. material assistance in deportations.<sup>1</sup>

Finally, I specifically examine the berm and argue that two additional policy dilemmas for international organizations have emerged in UNHCR and INGOs' work at Jordan's border since the Jordanian government closed the border to displaced Syrians: freedom of mobility vs. refugee detention and non-refoulement vs. incentivizing refugees to move closer to an active war zone. This empirical evidence from Jordan demonstrates the tension between protection norms and the actions of international organizations in a context in which states have treated refugee protection as a national security issue.

### *The international refugee regime in Jordan: relevant actors*

Though tensions between a national security paradigm and protection principles arise in varied ways, the Jordanian government has advanced a centralized response to the Syrian refugee influx, with key decisions emerging from central government actors and implemented coherently across different contexts. Refugee policy in Jordan is created in a top-down process, with final say on various policies coming directly from the office of King Abdullah II. International organizations interact with the Jordanian government at all levels, both with institutions tasked with addressing the influx of Syrian refugees and with higher-level ministers and officials. Refugee policy dilemmas therefore arise in a number of contexts, as aid agencies

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<sup>1</sup> As previously noted, Weiner identified the policy dilemma that emerges when UNHCR decides whether to provide material assistance in cases of deportations. I revisit this dilemma and further discuss various ways in which UNHCR and INGOs comply with deportations, prioritizing cooperation with the state over their monistic mandates.

must navigate Jordan's security-focused approach to refugees when interacting with institutions, ministers, local officials, and the military.

Though the King holds centralized authority over the rights of refugees and roles of international organizations, the Jordanian government also includes a number of bureaucracies involved in implementing refugee policy and interacting with INGOs. The Ministry of Planning and International Cooperation (MOPIC) was established in 2003, replacing the Ministry of Planning (est. 1984) and its predecessor, the National Council for Planning (est. 1971).<sup>2</sup> As I detail in Chapter 5, this ministry emerged in a period in which Jordan established numerous institutional and bureaucratic strategies to handle the Iraqi refugee population and maximize benefit to Jordanian institutions. MOPIC must approve INGO projects, and depending on the nature of the project, other ministries (of Health, Water, Social Development, etc.) must approve the project as well.<sup>3</sup>

While MOPIC handles relations with INGOs and project approval, the Ministry of Interior (MOI), the government agency responsible for Jordan's internal affairs, governs refugee camps and handles refugees' entry and registration. Specifically, the MOI has established the Syrian Refugee Affairs Directorate (SRAD) to handle the influx of Syrian refugees. Jordan's top-down approach to refugee policy, and its cohesive response, differentiates it significantly from other cases such as Lebanon, where the government's response is highly decentralized. This difference in political institutions in Jordan affects the extent to which elements of this case study could apply to other cases, as I discuss in Chapter 8.

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<sup>2</sup>MOPIC. "The Ministry: History." Retrieved 2017, from <http://www.mop.gov.jo/Pages/viewpage.aspx?pageID=10>.

<sup>3</sup> Interview with INGO official, August 11, 2016, Amman, Jordan.

Notably, different institutions involved in maintaining Jordan's national security and protecting the border also play a role in refugee policy as a subset of their national security and military responsibilities. Bureaucratic actors involved in border control and policy decisions surrounding the berm include the military and the General Intelligence Directorate (GID), Jordan's intelligence agency. The two actors reportedly have competing perceptions with regard to refugee policy. According to an expert on the Jordanian government, actors within the military have advised the office of the King to admit refugees from the berm in order to prevent a security crisis at the border. To the military, policing the border and preventing unrest from the thousands of displaced persons living there is an unsustainable, costly policy. Yet the GID reportedly advises the Jordanian government not to admit more Syrians based upon the rationale that they cannot be certain that admitted Syrians do not include elements of ISIL.<sup>4</sup>

Because of the sensitive nature of the topic of internal deliberation within the Jordanian government on national security matters, I could not verify this account from open sources of information. Nevertheless, this researcher's account on this topic and other literature on Jordan's border and migration management reveals that Jordan's security apparatuses play a highly significant role in formulating refugee policy.<sup>5</sup> While the King makes refugee policy decisions based on security rationales, often there exists no clear consensus about what policy approach best serves Jordanian national security.

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<sup>4</sup> Researcher on Jordan, discussion with the author, March 3, 2017.

<sup>5</sup> Marchi, G. D. (2014). The Jordanian response to the Syrian refugee crisis: border management between national security and International Law. Department of Culture, Politics and Society, Università degli Studi di Torino.

All aid-related activities by large INGOs in Jordan must be approved by the Jordanian government, specifically by MOPIC, in a complex approval process. For INGO actors, the process of creating and implementing aid programs are directly shaped by the government's input. U.N. agencies, on the other hand, have their projects under less direct scrutiny and operate with more autonomy in Jordan. U.N. officials, however, revealed a broader concern about maintaining a relationship with the government in Jordan.

U.N. agencies and INGO actors deal with policy issues at different levels. U.N. agencies, especially UNHCR, have a role in advocating around high-level policies, while INGOs' advocacy concerns project approval and cooperating with various ministries. INGOs have created a Jordan INGO Forum, and a Government Relations Working Group within the Forum, to "exchange of information on the GoJ procedures, policies and strategies, including challenges, best practices, and lessons learnt, [and] develop common INGO positions or suggestions to the GoJ's requests and policies."<sup>6</sup> The Government Relations Working Group's desired outcomes include sharing information about "guidelines, procedures, formats, and/or templates that any ministries or government institution have developed," best practices for communicating between donors and government actors, and "to discuss key opportunities, challenges, project approval and reporting issues" with the Government of Jordan.<sup>7</sup> The Jordan INGO Forum's Coordinator also communicates with U.S. and Jordanian government actors about advocacy, writing statements around various issues on behalf of the members of the Forum.

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<sup>6</sup> Forum, J. I. (2015). Terms of Reference for the Government Liaison Working Group. Amman, Jordan, Jordan INGO Forum, 1.

<sup>7</sup> Ibid., 2.

U.N. agencies' and UNHCR's roles differ from those of INGOs. UNHCR and the International Organization for Migration (IOM) have taken a more direct role in formulating and implementing Jordan's response to refugee crises. MOPIC, with cooperation from U.N. agencies and INGOs, established the "Jordan Response Plan" in 2014, self-defined as "the strategic partnership mechanism between the Government of Jordan, donors, U.N. agencies and NGOs for the development of an integrated refugee, resilience-strengthening and development response to the impact of the Syria crisis on Jordan."<sup>8</sup> Since its creation, the Jordan Response Plan has continued to center international aid efforts around Jordanian development and afforded the government a strong role in formulating INGO and U.N. priorities. The Jordan Response Plan (JRP) is formed via consultation between the government, U.N. agencies, and INGOs, but eventually must obtain government approval.

UNHCR shares responsibility with the government in the registration process, coordinating basic services for registered refugees, camp maintenance, movement of refugees in and out of camps, and referring refugees for resettlement. UNHCR coordinates with Jordanian authorities in all of these tasks. IOM provides logistical support to the Jordanian government in screening individuals who cross the Jordanian border and in the process of resettling refugees in a third country. Other U.N. agencies, such as UNICEF, U.N. Women, UNFPA, and UNDP provide aid to refugees and local nationals alike as part of holistic development and aid projects and participate in the JRP.

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<sup>8</sup> JRPS. "The Jordan Response Platform for the Syria Crisis: About." 2017, from <http://www.jrpsc.org/the-jrpsc/>.

In field research conducted for this thesis, I interviewed both policy and protection officials from U.N. agencies and major INGOs, who discussed their interactions with the Government of Jordan on different levels. Protection officials in camps, for instance, handle day-to-day interactions with Jordanian security forces, while policy and external relations officials work to have projects approved by government ministries, and high-level U.N. officials advocate around sensitive issues such as the berm. The politics surrounding security considerations affect refugee protection activities in different ways at different levels, as I further detail in this chapter.

Moreover, interviews with INGOs and U.N. actors revealed that most of the Jordanian government's policies surrounding the refugee influx had a security rationale, even in instances where advocacy for refugees' rights had been successful. For instance, in 2016 Syrian refugees were allowed to receive work permits on a limited basis, something U.N. agencies had been advocating since the beginning of the crisis. U.N. officials explained, however, that the Government of Jordan was eventually willing to give some Syrian refugees work permits because of the potentially damaging security concerns of having a large population of individuals with no opportunities to work. In one interview, a U.N. agency official noted,

As far as they're concerned, national security is the priority. They always look at it from a security point of view. If you open up jobs or give work permits to Syrians, it's from a security point of view. You don't want hundreds of thousands of angry youth in your country. That would create a vacuum which is the fertile ground for extremist ideology to tap in.<sup>9</sup>

Other INGO and government actors confirmed this security rationale for the work permit policy.

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<sup>9</sup> Interview with a U.N. agency official, August 16, 2016, Amman, Jordan.

As demonstrated in the example of work permit policies, there are convergences between human security and national security policies. Because aid agencies could demonstrate in this instance that human security had an impact on national security, they were able to successfully advocate for the government to extend some work permits to Syrians. In many instances, interviews showed that policies which may not immediately appear national security-related often stemmed from a security rationale, according to individuals involved in the negotiations and implementations of these policies. The prevalence of security discourse in the creation of refugee policies in Jordan makes it necessary to consider underlying factors behind states' approach to refugees as a national security issue. This national security-focused approach to refugee policy in Jordan poses refugee policy dilemmas for international refugee protection organizations, and their decisions have prioritized cooperating with the government over their monistic principles. I detail these dilemmas in the following section.

### **Rights and access within Jordan, 2011-2016**

*The conflict continues, and it is not necessarily simple to say that “this is the principle, let’s apply the principle.” It’s not the principles. We are moving farther than that. We are in the sixth year.*

–U.N. agency official, interviewed by the author<sup>10</sup>

#### *Providing aid to refugees vs. to local nationals and institutions*

Interviews with INGO and UN actors revealed a tension between the norm of providing aid to refugees versus state requirements to provide a significant amount of

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<sup>10</sup> Interview with U.N. agency official, August 16, 2016, Amman, Jordan.

aid to local nationals. The Jordanian government has “unofficially” required INGOs to provide at least 30% of aid to local nationals rather than refugees in what INGOs term “resilience projects.”<sup>11</sup> If an INGO’s projects do not meet this ratio, their project approval is denied. The state has pressured INGOs to provide 50% of aid to refugees and 50% to local nationals, while INGOs have advocated to provide 70% of aid to refugees and 30% to local nationals.<sup>12</sup> One aid practitioner involved in government relations described the situation as follows,

There’s an informal rule on the resilience projects. It’s not a guideline we have in any way written but it’s something they want to see in the projects. Sometimes they will not approve a project right away because it’s 70-30 and they want to see 50-50. It’s a way for them to sell it to their local constituencies, that what the aid agencies are doing in Jordan is not just for refugees, it’s also for poor Jordanians.<sup>13</sup>

Clearly, from this and other accounts describing protests that sparked this change in policies, the policy of adopting a “resilience” framework for humanitarian aid in Jordan stems from political considerations over domestic instability in Jordan.

Notably, this policy emerged in direct response to political contention over the presence of aid agencies in Mafraq in 2012. As one aid worker noted, “There was a bread distribution in Mafraq and a Jordanian boy was in line to receive the bread. When they received him they asked if he was Syrian or Jordanian, and when he said Jordanian, they kicked him out of the line. And his family came and there was a big tension, a big big big tension happened.”<sup>14</sup> Describing the protest, the aid worker noted, “They were so angry, the people of Mafraq. There was a fight. They burned

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<sup>11</sup> Interview with INGO official, August 29, 2016, Amman, Jordan.

<sup>12</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

<sup>13</sup> Ibid.

<sup>14</sup> Interview with INGO official, August 29, 2016, Amman, Jordan.



wheels, like any protest.”<sup>15</sup> According to this aid official, “after that the government took it as a security issue.”<sup>16</sup> This anecdotal evidence shows the relationship between the government’s “unofficial” aid distribution policies and concerns over protests and political stability, and other accounts of protests in refugee-hosting areas further demonstrate this relationship as well.

Bread prices and shortages also sparked protests in 2011-2012.<sup>17</sup> A 2013 report by Mercy Corps, an NGO operating in Mafraq, noted that “municipal, water, education and health needs (physical and psychosocial) have emerged as increasingly urgent needs that residents say, if not addressed, will become touch points for conflict,” citing that significant tensions had emerged over refugees and “between Jordanians and their local governance institutions.”<sup>18</sup> The report also cited Jordanians’ concerns that refugees received aid from multiple sources while “poverty-stricken Jordanians are neglected and refused even one portion of assistance.”<sup>19</sup> Project approval policies and the requirement for INGOs to provide equal or comparable amounts of aid to Jordanian communities derive from concerns over these tensions and protests.

For some INGOs whose mandates require them to promote aid and development among vulnerable populations and not only emergency aid, this does not pose a direct conflict of norms, as noted in Chapter 3. For agencies whose mission is to provide protection specifically to refugees, it poses a policy dilemma. Moreover,

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<sup>15</sup> Interview with INGO official, August 29, 2016, Amman, Jordan.

<sup>16</sup> *Ibid.*

<sup>17</sup> Francis, “Jordan’s refugee crisis.”

<sup>18</sup> Corps, M. (2013). Mapping of Host Community-Refugee Tensions in Mafraq and Ramtha, Jordan, Mercy Corps, 2.

<sup>19</sup> *Ibid.*, 11.

this requirement has caused INGOs to develop broader security, development and governance strategies in Jordan, not only upholding refugee protection.

Many INGO officials noted that this policy made it more difficult to uphold refugee protection for Syrians in Jordan for a variety of reasons. Of course, because this high proportion of funding (30-50%) must address the needs of vulnerable Jordanians, INGOs cannot direct their entire budget to the individuals they are tasked with protecting, and their programming for refugees faces significant shortcomings as a result. More broadly, the government approves and directs INGO projects based on what it perceives as Jordan's national interest, which often differs from the principles and approach of aid agencies. For example, the Jordanian government directs INGOs to invest in Jordanian education infrastructure rather than education programs for Syrian refugees: as one INGO official noted, "They want INGOs to invest specifically in infrastructure—they think this is what they really need."<sup>20</sup>

In addition, the JRP, established and led by Jordanian government agencies, leads and directs U.N. agencies and INGOs alike into funneling more programming and funding into Jordanian development and "resilience." Statements by government ministers in the JRP highlight the narrative that Syrian refugees are damaging the economy. The plan requires aid agencies to support Jordanian institutions through both programmatic interventions and direct budgetary support. In total, the JRP from 2017-2019 requests over 1 billion Jordanian Dinars toward direct support for the Jordanian security sector, infrastructure, transportation systems, and for "income loss" due to the presence of Syrians in the Jordanian economy.<sup>21</sup>

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<sup>20</sup> Interview with INGO official, August 9, 2016, Amman, Jordan.

<sup>21</sup> MOPIC (2016). Jordan Response Plan for the Syria Crisis 2016-2018, 157.

In the 2016-2018 JRP, the Minister of Planning and International Coordination Imad Najib Fakhoury wrote that Syrian refugees are “placing untenable strain on the country’s social and economic systems and institutions, and threatening to undermine decades of developmental progress.”<sup>22</sup> The JRP brings together development and humanitarian aid “under a common nationally-led and resilience-based framework.”<sup>23</sup> In the JRP, King Abdullah II also stated that,

We have been taking on a significant part of the burden of this humanitarian disaster off the international community’s shoulders since the beginning. However, support to our country has been a small fraction of the costs we have endured. It is high time that the international community acts collectively in facing this unprecedented humanitarian crisis, and supports countries like Jordan and Lebanon which have been carrying the brunt of this burden over the past years.<sup>24</sup>

With regard to the vulnerabilities of Jordanian host communities, the JRP noted that “Jordanian host communities are similarly affected [to Syrians]...Many [vulnerable Jordanians] are beginning to demand that their needs be considered a priority.”<sup>25</sup>

In these statements, these Jordanian policymakers reflect their longstanding approach of strategically directing international aid to support Jordanian institutions and host communities, as I explain further in Chapter 5. The JRP reflects both a continuation and a more institutionalized, explicit form of the strategy that the Jordanian government developed in response to the Iraqi crisis. The JRP also reflects Jordan’s narrative that its issues and political problems primarily stem from the presence of Syrians. Of course, many of the problems that the JRP describes existed

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<sup>22</sup> MOPIC, “Jordan Response Plan,” 3.

<sup>23</sup> *Ibid.*, 3.

<sup>24</sup> *Ibid.*, 8.

<sup>25</sup> *Ibid.*, 14.

prior to the Syrian crisis; nevertheless, the narrative that Syrians pose a severe burden to Jordan serves the state's strategic interests, as I describe in Chapter 6.

As noted, policies requiring international organizations to direct funding into Jordanian institutions and communities emerged in direct response to anti-government political protests sparked over the presence of INGOs in refugee-hosting areas.<sup>26</sup> Through the JRP and approval policies requiring INGOs to create "resilience" projects aimed at supporting only Jordanians, the Jordanian government aims to alleviate resource shortages that are sparking political protests and highlighting longstanding issues in Jordan.

As I further detail with regard to the Iraqi crisis in Chapter 5, the Jordanian government's strategic approach of directing aid into supporting Jordanian institutions poses a conflict for INGOs because it is often clear that programming directed toward Jordanian institutions does not ultimately benefit refugees. For instance, although international contributions to Jordanian educational development during the Iraq war were intended to benefit Iraqi refugees, Iraqi refugee children largely did not attend the schools that this funding supported.<sup>27</sup> It became clear after the Iraqi refugee crisis that many budgetary contributions namely to support the Iraqi refugees did not ultimately assist them, and I explore this history further in the following chapter.

Some aid practitioners stated in interviews, and in other scholarship on Iraqi and Syrian refugees in Jordan, that the practice of refugee agencies directing funding

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<sup>26</sup> Interview with INGO official, August 29, 2016, Amman, Jordan.

<sup>27</sup> Seeley, N. (2010). "The politics of aid to Iraqi refugees in Jordan." Middle East Report 256.

into local communities and institutions does not pose a tension with refugee protection principles because Jordanians themselves face vulnerabilities. Though one could make humanitarian arguments for protection agencies supporting vulnerable local nationals, international refugee protection organizations must consider the role of programming and budgetary support for local nationals in refugee protection more broadly. These resilience-focused projects exist primarily to alleviate the Jordanian government's political problems and cooperate with their national security- and stability-focused agenda. Ultimately, though these programs and interventions do provide resources and support to Jordanians with humanitarian needs, it is worth questioning to what extent agencies tasked with protecting refugees should commit their resources to supporting people who are not refugees, and to what extent these agencies should participate in the governance and development of refugee-hosting states. In an already-underfunded response, directing a large proportion of funding for refugees into politically motivated programs for local nationals poses a limitation to refugees' access to aid and services.

*Distributing aid based on vulnerability vs. prioritizing certain nationalities*

In part due to policies which require a large proportion of aid to support Jordanian institutions rather than refugees, and in part because of Jordan's history of receiving refugees from a number of nationalities with a variety of protection needs, another tension has emerged: the norm of providing aid based on vulnerability vs. providing aid based on national origin. A recent report by Rochelle Davis et al. cited

that U.N. agencies and INGOs in Jordan, struggling to handle multiple refugee crises simultaneously, act according to “a hierarchy of policies and agreements based on the national origin or citizenship of the persons, rather than their status as refugees or asylum seekers.”<sup>28</sup> According to Davis, hierarchies of aid distribution derive from four factors: size, race, time, and awareness of each nationality of refugees.<sup>29</sup>

The hierarchy in Jordan’s refugee regime also manifests in legal and policy frameworks for registering and providing services to Syrian versus other refugees. As Davis notes,

Syrians are granted *prima facie* refugee status and must register with both the government and the UNHCR, whereas others—Iraqis, Somalis and Sudanese—are required to undergo Refugee Status Determination on a case-by-case basis. Palestinians with Syrian, Lebanese or Iraqi travel documents are still a third category: Most often they are not let in to the country, but if they manage to enter, they fall under the jurisdiction of UNRWA.<sup>30</sup>

Given donor fatigue and the larger Syrian and Iraqi refugee crises, Davis notes that the government’s requirement that at least 30% of foreign NGO programming directly assists Jordanian nationals limits international refugee organizations from funding programs that support Sudanese or Somali refugees.<sup>31</sup>

Sudanese and Somali refugees in particular have received less assistance from the international community, according to Davis, because both populations are small in comparison to the Iraqi and Syrian refugee populations, the Jordanian population as well as donors know relatively little about conflicts in Somalia and Sudan, and because of racism and racial stereotypes in Jordan about African-ness. As Davis notes, these “inexcusable views” are “tied to the African-ness of Sudanese and

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<sup>28</sup> Davis, "Sudanese and Somali Refugees in Jordan."

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*

Somali refugees and the assumptions about civilizational underdevelopment and inferiority that accompany how they are seen in the Middle East.”<sup>32</sup>

Thus, the requirement to spend 30% of aid funding on programs supporting Jordanian nationals augments tensions and hierarchies within the international refugee regime. The government’s policy reinforces a hierarchy of aid policies based on national origin or citizenship rather than protection needs. This approach creates a tension for protection organizations, in that while the definition of a refugee and norms for refugee protection outline that refugees are classified based on vulnerability rather than national origin, in practice refugees interact with the international regime differently based on their country of citizenship.

This hierarchy of policies governing the international refugee regime in Jordan derives from Jordan’s unique history with refugee influxes and political scripts governing migration, and relates to its concerns about domestic instability and challenges to its ruling bargain. As I explain in Chapter 5, Jordan’s experience with Palestinian refugees and related political scripts defined how government officials and citizens alike perceive forced migration. Due to racism and other factors, Sudanese and Somali refugees in Jordan are more likely to be perceived as migrants who have over-stayed their welcome.<sup>33</sup>

Further, due to their treatment as second-tier refugees in Jordan, Sudanese refugees participated in political protests in 2015 and the Jordanian government deported a large proportion of their population as a result. Because of the hierarchies of nationality governing refugee aid in Jordan, certain refugees have become labeled

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<sup>32</sup> Davis, “Sudanese and Somali Refugees in Jordan.”

<sup>33</sup> Ibid.

as “troublemakers” potentially disrupting the Jordanian political system. Finally, creating a political framework in which certain refugees cannot access rights and services ensures that their existence in Jordan is tenuous and unsustainable; this serves to minimize the likelihood that they will remain in Jordan over the long term, in line with the state’s strategic incentives, as I detail in Chapter 6.

### *Non-refoulement vs. material assistance in deportations*

Other policy dilemmas have emerged around the issue of deportations or refoulement, most specifically the norm of non-refoulement vs. providing material support to a state carrying out a deportation. As Weiner, Whitaker and others have argued, aid agencies frequently grapple with the question of whether to provide material support in cases of refoulement. On one hand, deporting refugees violates the legal principle of non-refoulement, yet UNHCR and INGOs also consider that deportations may be carried out more humanely if refugee protection organizations become involved.

In Jordan, the largest deportation since the beginning of the Syrian crisis occurred in December 2015, when several hundred Sudanese refugees were deported. A group of Sudanese refugees had been protesting outside the UNHCR headquarters from October through December 2015, demanding more aid and access to services from UNHCR. The protests did not yield more aid from UNHCR. On December 16th, Jordanian police forces arrived at UNHCR with several buses, and allegedly told the Sudanese refugees they would be resettled. Instead, hundreds of Sudanese individuals were handcuffed with zip ties and brought to the cargo facility at the Queen Alia



International Airport. The refugees were held there for two nights, while U.N. agencies attempted to negotiate to halt the deportations. Ultimately, as nearly a third of the Sudanese refugees in Amman were deported, this incident fragmented and traumatized the Sudanese refugee population of Jordan.

The spokesman from the Jordanian government claimed the Sudanese were deported because they had arrived in Jordan on medical visas and were therefore asylum-seekers, not refugees. International organizations confirmed, however, that many of the individuals deported had registered as refugees. Analysts of the situation interpreted the mass deportation as a “warning” to both refugees and the U.N. and INGO community, with one senior NGO official noting that “The government is very concerned about losing control of the refugee situation in the country.”<sup>34</sup> Moreover, although “security” was not explicitly cited in the government’s limited comments on the situation, the fact that hundreds of refugees were deported directly from a peaceful protest sends a clear signal that the government will crack down on refugees who cause any sort of political unrest.

Human rights activists and small NGOs were more willing to speak about the Sudanese deportations than UNHCR officials, most of whom were unable or unwilling to speak about it. It is worth noting that some human rights activists in interviews recounted that UNHCR officials had known about the deportations, which took place at a UNHCR facility, prior to the Jordanian government arriving to deport the Sudanese. Had UNHCR known about the deportations of the Sudanese refugees

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<sup>34</sup> Staton, B. (2015, 6 Jan 2016). "Jordan cracks (down) under refugee pressure." Retrieved 10/31/2016, 2016, from <http://www.irinnews.org/feature/2016/01/06/jordan-cracks-down-under-refugee-pressure>.

on its secured property beforehand, the fact that they did not take steps to protect the Sudanese refugees residing on their property would pose a compromise to UNHCR's principles and mark a significant instance of UNHCR complying with a host government committing refoulement in order to preserve its relationship with the state. Nevertheless, I was not able to confirm this account with UNHCR officials themselves.

One local NGO disclosed an interaction with the government in which they were asked to provide material support to assist in carrying out the deportations:

[The deportations] are probably the most sensitive issue. No one's talking about it still. [Our director] was called by the Ministry of Interior. They said we have everyone detained at the cargo area, and you need to provide mattresses and blankets or we're going to deport them. All the staff were putting in money and we provided the blankets and mattresses. It is my personal opinion that we were complicit in what happened. We provided assistance and they were deported.<sup>35</sup>

In this example, the NGO took an instrumental rather than monistic approach. By providing material support, these NGO workers believed they could improve the situation for the refugees being refouled. This instrumental approach, however, did not prevent the deportations from going forward and caused this protection-based NGO to comply in activities which compromised its principles.

The Sudanese deportations also signaled to Syrian and other refugees that Jordan is willing to carry out mass deportations. As Bethan Staton noted, Jordan can easily invoke security justifications to deport Syrians,<sup>36</sup> and as officials from UNHCR and INGOs stated in interviews, aid agencies cannot successfully advocate when a deportation or other violation of human rights law is carried out for purported

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<sup>35</sup> Interview with NGO official, August 11, 2016, Amman, Jordan.

<sup>36</sup> Staton, "Jordan cracks (down) under refugee pressure."

national security reasons. Discussing deportations of Syrian refugees, one U.N. agency official noted that with deportations, “it always comes down to ‘security reasons’” though he frequently believed that “security” was being used as a justification to deport refugees indiscriminately.<sup>37</sup>

Violent incidents allow the state to deport refugees, whether or not the individual was connected to the incident. For instance, in the week after the June 2016 bombing at the Jordanian border, a U.N. agency official said “there were so many deportation and detention cases. I think they contacted everyone who has a connection with any armed group and deported or detained them. Even a connection with the Free Syrian Army would be enough.”<sup>38</sup> Generally, the official stated, “If something like this [attack] happens, you will see so many [deportation] cases.” The official personally saw over 10 deportation cases in one week after the June 2016 attack, while on average the entire unit usually saw “maybe 2 to 5 cases” in a given week.<sup>39</sup> These indiscriminate deportations demonstrate that the state has imputed the definition of “security threat” on the whole population of refugees, meaning a single incident of violence suffices to justify numerous deportations.<sup>40</sup>

Moreover, because of the prevalence of deportations, and UNHCR and donor countries’ inability to stop deportations, refugees in Jordan face the constant fear that they could be deported at any time. As Adam Coogle from Human Rights Watch noted, “The sort of chilling effect that you could be deported has been felt by the Syrians since the beginning, maybe, of 2013. Because they all know someone who

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<sup>37</sup> Interview with U.N. agency official, August 12, 2016, Amman, Jordan.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

got taken and maybe sent back. The Syrians all know that you better not do a damn thing.”<sup>41</sup> Securitization, or the imputed definition that individual refugees pose a security threat, contributes to refugees’ treatment in Jordan as outsiders and second-class citizens.

It is clear from interviews that INGOs and UNHCR have not found ways to successfully advocate for refugee protection principles when the state claims an individual or population poses a national security threat. As one U.N. agency official noted, “we are moving farther than” refugee protection principles in the sixth year of the Syrian refugee crisis in Jordan.<sup>42</sup> Definitions and constructions of “security” have tangible impacts on aid provision and refugee protection. The construction that all refugees pose security threats, an economic burden, or a cause of political strife serves to ensure refugees’ existence in Jordan remains fragile and uncertain. This derives back to the government’s strategies of ensuring refugees do not remain in Jordan over the long-term and quelling political instability, as I discuss in Chapter 6.

The construction that refugees pose a security threat also relates to political scripts about refugees in Jordan and related norms of appropriate policy responses. Because Jordanians previously experienced political violence related to the Palestinian refugee population, the government is inclined to approach other refugees as a security issue and deport refugees given any evidence of political involvement that could threaten regime stability. Finally, given recent securitization of Syrian refugees by Jordan’s patron states, particularly the U.S., Jordan has furthered its rhetoric defining Syrian refugees as a national security threat. The U.S.’ securitization

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<sup>41</sup> Staton, “Jordan cracks (down) under refugee pressure.”

<sup>42</sup> Interview with U.N. agency official, August 16, 2016, Amman, Jordan.

of refugees, as discussed in Chapter 7, also legitimizes Jordan's decision to take emergency measures to mitigate the risk of political violence, including indiscriminately deporting refugees.

### *Freedom of mobility vs. refugee encampment*

The norm of freedom of mobility vs. the practice of refugee encampment have also come into conflict in Jordan. UNHCR and the Jordanian government co-manage two refugee camps in Jordan: Za'atari and Azraq Camp. When individuals first cross the borders, the Jordanian authorities interview them, take an iris scan, and refer them to the UNHCR, who also registers them.<sup>43</sup> The Jordanian authorities then determine where refugees can reside. Reports of camp governance and security revealed that in 2013-2014, the Jordanian government began taking a more direct role in camp regulation in Za'atari as a result of instability within the camp.<sup>44</sup>

Interviews with U.N. agency officials revealed that protection officials struggled to reconcile the norm of freedom of mobility with the government's increased role in regulating movement in and out of the camps, with one official stating,

It's up to the authorities, the police to figure out exactly where to take them: Za'atari Camp or Azraq Camp. At first, it was easy because they came and UNHCR decided where they would go. But now the authorities, the Ministry of Interior have to issue a card and determine where they will go. Because the numbers have gotten really high, they have gotten really strict.<sup>45</sup>

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<sup>43</sup> Interview with U.N. agency official, August 9, 2016, Amman, Jordan.

<sup>44</sup> Sullivan, D. and S. Tobin (2014). Security and Resilience Among Syrian Refugees in Jordan, Middle East Research and Information Project.

<sup>45</sup> Interview with U.N. agency official, August 12, 2016, Amman, Jordan.

Frequently, this official revealed, UNHCR tries to find a “protection concern” that would necessitate the individual moving from one camp to another (such as an elderly person needing care from their family). If they can find such a concern, they can advocate to the authorities and often obtain approval for the individual to move to another camp. In many family reunification cases, however, U.N. agency officials cannot successfully obtain approvals for individuals to move.

Notably, interviews with UNHCR revealed that in such instances, officials use “protection concerns” instrumentally, seeking a protection concern as a method to advocate around a particular case given a restrictive refugee policy. Should this advocacy not work, UNHCR continues to participate in the management and security structures of the camps which restrict refugees’ freedom of mobility. As UNHCR complies with policies that denigrate the human rights principle of freedom of mobility, this example again demonstrates UNHCR’s case-by-case instrumentalism rather than monistic approach.

Jordan’s policy of encamping refugees and policing refugee camps, and in many cases restricting refugees’ mobility, again relates to its long-term policy goals and scripts governing migration. Camps serve to increase visibility of the crisis and attract external aid. Camps also mitigate the possibility that Syrians can integrate into the rest of Jordan. The Jordanian government took a more active role in policing the camps and determining where refugees could live in response to concerns that refugee camps could become a space for mobilization, related to its preexisting political scripts governing migration. By increasing spatial legibility of the crisis, attracting

further aid, and limiting the risk of political or demographic challenges, controlling refugees' movement serves Jordan's strategic goals.

### **The Berm and its Implications, 2015-2016**

*Everyone has abandoned the principle of the right to seek asylum, and then they abandoned the right to humanitarian aid. This is a military issue now. It's all about that.*

–Senior European diplomat, interviewed by IRIN News

The berm is an area between Northern Jordan and Syria where the government has closed borders following a terrorist attack on June 21<sup>st</sup>, 2016, and where over 80,000 stranded Syrians currently live without access to basic aid. The state cites security as its main reason for not allowing aid agencies into the berm. UNHCR and INGO actors articulated that they cannot advocate or uphold monistic principles once the state has “played the security card.”<sup>46</sup> Throughout the process of negotiating around this issue, the UNHCR and INGO community made several different compromises of protection principles. The humanitarian situation at the berm is now being approached as a military issue, leaving aid agencies without any traction to advocate for protection principles.

Numbers of refugees living in Rukban and Hadalat began growing at the end of 2015. At first, the Jordanian government did not officially close the borders but began limiting the number of people who could enter the country. The government initially closed the border citing stability concerns, stating that “Jordan has reached a

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<sup>46</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

saturation point”<sup>47</sup> with refugees. At this point, the government also began arguing that many of the refugees either came from ISIS or other militia groups, and therefore no refugees at the berm would be admitted into Jordan. At first, the government put into place an intensive screening process through which approximately 150 refugees entered Jordan every day. From March 2016 through June 2016, UNHCR, the World Food Programme, and others distributed food rations in the berm area, while simultaneously conducting registration of about 35,000 out of over 80,000 individuals living in the berm.<sup>48</sup>

In the following section, I identify normative tensions that have specifically arisen in negotiations surrounding refugee policies at the berm. Policy dilemmas, not identified in previous literature, have emerged in international organizations’ attempts to negotiate and advocate around Jordan’s policy of border closure.

### *Freedom of mobility vs. refugee detention*

The berm has created a clash between the norm of freedom of mobility and the detention of refugees for UNHCR and INGOs. After negotiations with the government, UNHCR was able to bring approximately 20,000 refugees from the berm across the border into Azraq Camp. The refugees, however, were to live in a “jail”-like<sup>49</sup> area of the camp called Village 5 until the government could carry out security screenings. Therefore, UNHCR transgressed the norm of freedom of mobility and became involved in the detention of refugees. As one aid worker explained,

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<sup>47</sup> Interview with aid official, August 16, 2016, Amman, Jordan.

<sup>48</sup> Interview with U.N. agency official, August 16, 2016, Amman, Jordan.

<sup>49</sup> Staton, B. (2016). Jordan detains Syrian refugees in Village 5 “jail”. *IRIN News*. Amman, IRIN News.



“UNHCR coordinated the process and an NGO built the fence on their behalf.”<sup>50</sup> As another aid practitioner noted, “In Village 5, they can access UNHCR distributed food, but they are not allowed to move, go outside or access services... It is like a jail, exactly like a prison.”<sup>51</sup> At the time, UNHCR believed all of the individuals enclosed in Village 5 would be released eventually after completing security checks. As another aid official noted, “at some point the fence has to come down. It looks like a prison. The short term concession, was yes: let’s build a fence, let’s make sure we can screen all of them.”<sup>52</sup>

The situation for aid agencies at the berm changed dramatically after a bomb exploded on June 21st, 2016, killing seven Jordanian security personnel. Following the terrorist attack, the Jordanian government declared Rukban and Hadalat a military zone. As one aid official noted,

When the Jordanian government declared this as a military zone, there’s not much you can say. This is the Jordanian Armed Forces on the background of a terrorist attack. There was a lot of public pressure as well... asking what are you doing? These people, there are elements of ISIS in there.<sup>53</sup>

Following the terrorist attack, the Jordanian government stopped allowing aid agencies to distribute any food, water, or other parcels. When international aid agencies proposed a week-long distribution, “the government said absolutely no way. It would have to be quick. It would pose a major security threat and we’re not willing to risk the life of one single soldier. The priority is national security.”<sup>54</sup>

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<sup>50</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

<sup>51</sup> Interview with INGO official, August 9 2016, Amman, Jordan..

<sup>52</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

<sup>53</sup> Interview with aid official, August 16, 2016, Amman, Jordan.

<sup>54</sup> Interview with U.N. agency official, August 16, 2016, Amman, Jordan..

Aid distribution at the berm ended after this incident, as did security screenings of refugees living in Village 5 in Azraq Camp, leaving UNHCR and INGOs in a position where they effectively supported the detention of refugees. Another INGO official described that aid agencies built fences in Village 5 “under the assurance that screenings would proceed and they have stopped. We’re not sure what’s needed to resume them.”<sup>55</sup> After the June 21st terrorist attack, no more screenings went forward, again demonstrating that the government has imputed the definition of terrorist or security threat onto the entire Syrian refugee population.

An INGO official described INGO advocacy as difficult and ineffective around the issue of releasing refugees from Village 5, and that the government’s decision to keep refugees inside Village 5 stemmed from both public pressure over resource shortages and an ongoing perception that refugees at the berm include elements from ISIL:

We discuss this, but couldn’t advocate. UNHCR is advocating for this, but you need someone is more powerful. The government has many security concerns since the attack...they suspect many of them would be associated with ISIS. That’s why they do extensive security screening for them. The key priority for the government is security. There’s pressure from the public, who are saying we’ve received so many refugees, they are competing with the resources of the country and there are security concerns. There is a space in Azraq for the people, but they are not bringing any more people from the berm to Azraq.<sup>56</sup>

According to INGO officials, UNHCR’s advocacy has focused on the berm situation and neglected freeing individuals from Village 5. Again, this situation demonstrates that UNHCR’s policy has reflected an instrumental approach. UNHCR chose to

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<sup>55</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

<sup>56</sup> Ibid.

involve itself in detaining refugees believing there would be a more favorable outcome, but instead the outcome compromised UNHCR's principles.

Again, detaining refugees in Village 5 derives from Jordan's approach to refugees: defining them in terms of their potential for political violence. In part, not allowing more refugees to enter Jordan stems from public pressure over resource shortages, related to Jordan's consistent narrative that refugees have caused its internal problems.

*Non-refoulement vs. Incentivizing refugees to move closer to an active war zone*

After three and a half months of negotiations, in October 2016 U.N. agencies came to a provisional agreement with the Jordanian military forces.<sup>57</sup> Under the new plan, aid distribution would restart and the distribution point would be moved approximately 9 kilometers deeper into Rukban, closer to active fighting in Syria "in the hope that the displaced Syrians will move northwest of their current location."<sup>58</sup> Under the plan, no more refugees would be admitted into Jordan. As IRIN noted, the agreement to strategically give aid in order to push refugees away from a border and closer to an active war zone violates the principle of non-refoulement. The plan involved \$39 million additional dollars in assistance from the international community, \$26 million of which would go to supporting Jordanian security forces

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<sup>57</sup> Williams, S. E. (2016, 7 October 2016). "'Buffer zone' plan for 70,000 stranded Syrian refugees." Retrieved 10/31/2016, 2016, from <https://www.irinnews.org/analysis/2016/10/07/%E2%80%9Cbuffer-zone%E2%80%9D-plan-70000-stranded-syrian-refugees>.

<sup>58</sup> Ibid.

and infrastructure. Private security contractors were hired to carry out aid distributions since aid agencies were unwilling to travel 9 kilometers into Rukban themselves.<sup>59</sup>

Moreover, the provisional agreement on the berm issue confirms that aid agencies and the government approach this humanitarian crisis as a military issue. Numerous aid officials quoted in IRIN expressed that this solution compromised key humanitarian principles to the point that it could not even be called “humanitarian aid,” with one official stating, “Don’t call it humanitarian aid, because it’s nothing like humanitarian aid. It’s just assistance.” Another European diplomat noted, “Everyone has abandoned the principle of the right to seek asylum, and then they abandoned the right to humanitarian aid. This is a military issue now, and the U.S. will not abandon Jordan’s stability. It’s all about that.”<sup>60</sup> Jordan’s strategic interest for cooperating with international refugee protection norms has declined as the U.S. has emphasized that Syrian refugees pose a threat to national security.

The plan does not provide durable solutions to the human security issues facing the population at the berm and has caused protests among them, with residents holding signs saying “Where can we go? Starvation and deprivation before us, bombs and murder behind.” As one senior humanitarian official quoted in IRIN said, “This approach doesn’t properly address the needs. If the distribution point is moved into the demilitarized zone and the army can’t go in, what’s to stop people from walking south and firing their rockets anyway?”<sup>61</sup> Since this plan was created, unrest has

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<sup>59</sup> Williams, “‘Buffer zone’ plan.”

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

increased among the populations at Rukban and Hadalat as individuals lack access to aid or protection.

*“We lost that battle about principles a long time ago”*

In considering these dilemmas, aid practitioners working for refugee protection organizations frequently reiterated that in the case of Jordan, their organizations lost traction to encourage compliance with refugee protection principles in any circumstance where the state cited issues of national security or political stability. One INGO official who had also worked with the U.N. described the overall situation with regard to compromised protection principles as follows,

We’ve accepted a lot of things that were imposed on us. And by this I mean not just NGOs but the U.N. community in general. We’ve accepted that people live in a prison in Azraq. We’ve accepted that we can’t do anything at the berm. We’ve accepted that until recently that [Syrians] can’t work. We’ve accepted that they aren’t letting anyone in. We’ve accepted that they’re deporting people for crimes. And we’ve accepted that because Jordan needs to be stable and Jordan doesn’t need to have security threats. And we need to make sure Jordan stays on its feet. But perhaps whatever we see today is the result of the compromise we had to do two years ago [about the berm]... And it’s too late to do anything about it. We lost that battle about principles a long time ago.<sup>62</sup>

Speaking about the issue of balancing security requirements of host countries with protection principles, the official continued,

I guess, in all complex emergencies but maybe here more than others, the issue of trying to balance the security dimension and requirements of a country with their stability and humanitarian principles, is quite a difficult one. We saw that with regard to the berm. I agree with my colleagues that it didn’t make sense to be the whole righteous organization and just banging the human rights card on the table. But elsewhere we would use the human rights card a bit more...In previous crises we would do it our way and the

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<sup>62</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

government has to facilitate our work, and that's it. And here it's a bit new, to have to factor in stabilization and that angle.<sup>63</sup>

This aid practitioner brings up two issues reflected by many U.N. and INGO officials in Jordan. First, it appeared to many practitioners that aid agencies lose the ability to influence refugee policy in most, if not all, instances in which the state cites national security concerns. Second, many aid practitioners questioned to what extent refugee protection agencies should consider the underlying issues of political stability in the countries in which they work.

Based on my research in Jordan, it appears that refugee protection organizations are continually redefining their approaches to both providing aid and cooperating with host governments in response to these two issues. Notably, international refugee law includes specific provisions for how states can treat refugees who evidently pose a security threat based on their involvement in militaries, crimes or violence;<sup>64</sup> it does not, however, allow states to cite security and stability to justify any policy decision. In an era in which many refugee-hosting states in the Middle East and North Africa face political challenges, both from instances of domestic political protest and from non-state actors such as terrorist or extremist groups, it is worth questioning the role of aid agencies in responding to state concerns about national security and stability.

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<sup>63</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

<sup>64</sup> "The Convention does not apply to those for whom there are serious reasons for considering that they have committed war crimes or crimes against humanity, serious non-political crimes, or are guilty of acts contrary to the purposes and principles of the United Nations."

UNHCR Convention and Protocol relating to the Status of Refugees. UNHCR. Geneva, UNHCR Communications and Public Information Service.

Given that state actors have growingly securitized refugees, refugee protection work cannot easily divorce itself from states' national security and stability concerns going forward. Yet multilateral humanitarianism and refugee protection organizations are also frequently not equipped to respond to these complex and sensitive challenges. Studies of refugee organizations and international security must concern themselves with these questions: What is the current relationship between refugee organizations and states' national security and stability goals, and how, normatively, should refugee protection agencies involve themselves in these policies without compromising their role as norm-propagating institutions? I reflect on the implications of this study for the broader literature on refugees and security studies in the conclusion of this thesis.

## **Historical Scripts and Strategies for Refugee Policy**

Broadly, the following chapters seek to situate and explain Jordanian refugee policy decisions in response to the Syrian refugee crisis, which have increasingly adopted a national security paradigm and limited refugee protection. While in the beginning of the Syrian civil war, the Jordanian government opened borders to refugees and showed a high level of generosity toward Syrians, policy decisions have moved to emphasize national security concerns over humanitarian norms. I argue that Jordan's refugee policy changed in this way due to interlinking domestic stability and historical factors, combined with an international political context in which Syrian refugees were increasingly construed as a security threat.

This chapter provides a chronology of Jordan's policies toward multiple influxes of refugee populations, seeking to explain modern policy decisions. I argue that in the course of developing policies to handle multiple refugee influxes, the Jordanian state developed both political scripts and strategies to govern forced migration into its borders. Thus, Jordan's approach to the Syrian refugee influx as a security crisis derives from strategies it has used to address previous refugee populations, displaying institutional path-dependence. In the past, Jordan has also developed political scripts approaching refugees as a potential security threat. These elements of Jordan's history with refugee populations demonstrate that its growing restrictions on Syrians since 2011 have origins in political scripts and strategies that emerged in response to previous refugee influxes. Jordan's script of addressing refugees as a source of potential political violence and strategies for maximizing



benefit from the presence of refugees have intensified in light of Jordan's current political challenges and international securitization of refugees, as I explore in Chapters 6 and 7.

Scholars such as Alexandra Francis and Matthew Goldman have noted that Jordan's modern refugee policies did not emerge in a vacuum. Rather, Jordan has had several episodes of refugee influxes from multiple nationalities and spanning several generations; its history with refugees has shaped its approach to Syrian refugees. Francis noted in 2013 that the "Jordanian government's response to the arrival of Syrian refugees must be understood as a continuation of its historical response to refugee inflows into the country, most notably those of Palestinian and Iraqi refugee populations."<sup>1</sup> Goldman argued in a recent presentation that "previous episodes of forced migration have created repertoires of refuge, political scripts governing appropriate state responses to forced migration."<sup>2</sup>

I further develop these existing accounts by showing that Palestinian and Iraqi migration into Jordan led the Jordanian state to develop both scripts and strategies to ensure refugee policies uphold the state's self-interest. Jordan's experience with refugee populations has been characterized by refugee-related conflict, specifically a political conflict with the Palestinian population. Instances of political uprising formed a strong association for government actors between refugees and threats to the existing order. This gave the state the common line of argument that refugees will pose a threat or political challenge, invoked in response to other refugee situations.

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<sup>1</sup> Francis, A. (2015). *Jordan's refugee crisis*, Washington, DC: Carnegie Endowment for International Peace.

<sup>2</sup> Goldman, "Repertoires of Refuge."

During the more recent period of Iraqi refugee migration, Jordan developed strategies to benefit from international aid, forming relationships to aid agencies and incentivizing UNHCR and INGO actors to give aid to Jordanian institutions. Modern policy frameworks reflect an aim to maximize Jordan's benefit from international aid given to the refugee response and growingly, an emphasis on the national security impacts of Syrian refugees. Both elements have roots in Jordan's experience with and response to previous influxes of refugees.

### *Refugees in Jordan: an overview*

Jordan is the world's largest host of Palestinian refugees, and the movements of large numbers of Palestinians into Jordan after the first and second Arab-Israeli Wars spurred economic development in Jordan while also catalyzing political tension and changes.<sup>3</sup> Approximately 500,000 Palestinians fled to Jordan after the first Arab-Israeli war in 1948, and another 400,000 after the second Arab-Israeli War in 1967.<sup>4</sup> Today, the proportion of the population living in Jordan who were originally Palestinian refugees remains contested; estimates vary from a third or a half of the population or more. Rather than UNHCR, Palestinians living in Jordan fall under the mandate of the U.N. Relief and Works Agency (UNRWA), a U.N. agency established specifically to address the needs of displaced Palestinians.

Questions of Palestinian citizenship were affected by the status of Jordan's legal relationship to the West Bank. Immediately following the 1948 war with Israel, the West Bank was legally part of Jordan and in 1950, the Jordanian parliament was

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<sup>3</sup> Chatelard, G. (2010). "Jordan: A refugee haven." Migration Information Source.

<sup>4</sup> Ibid.

“composed of equal representatives from both the East and West Banks of the Jordan.”<sup>5</sup> The Citizenship Law of 1954 granted Jordanian citizenship to both Palestinians in the West Bank and Palestinians who fled to the East Bank after the 1948 war, stating that “every person, other than a Jew, who was a holder of a Palestinian citizenship before 15.5.1948 and who normally resided in the Hashemite Kingdom of Jordan during the period between 20.12.1949 and 16.2.1954” held Jordanian citizenship.<sup>6</sup> Because of this law, most Palestinians “enjoyed full individual, political, civil, economic, and religious rights”<sup>7</sup> including representation in Parliament and economic opportunities.

After the 1967 Six-Day War, approximately 245,000 more Palestinians fled into Jordan.<sup>8</sup> In 1988, the Jordanian government became legally divided from the West Bank and subsequently changed its policy, no longer affording Jordanian citizenship to all Palestinians living there.<sup>9</sup> As a result, Palestinians who lived in the West Bank before 1988 do not legally hold the same political and economic rights as Palestinians who fled to Jordan pre-1988.<sup>10</sup> According to UNRWA, the majority of the 2 million Palestinian refugees registered in Jordan have full citizenship.<sup>11</sup> Therefore, most Palestinians can access Jordanian government services, such as

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<sup>5</sup> Kassim, A. (2000). *The Palestinians: From Hyphenated to Integrated Citizenship. Citizenship and the state in the Middle East: approaches and applications*. N. A. Butenschøn, U. Davis and M. S. Hassassian, Syracuse University Press, 207.

<sup>6</sup> Cited from text of Resolution 1 in *Compilation of Jordan’s Laws and Regulations (1961)*. Kassim, “Palestinian Citizenship,” 207.

<sup>7</sup> *Ibid.*, 211.

<sup>8</sup> McDowall, D. (1989). *Palestine and Israel: the uprising and beyond*. London, I.B. Tauris, 84.

<sup>9</sup> *Ibid.*, 211.

<sup>10</sup> *Ibid.*, 213.

<sup>11</sup> UNRWA (2015). "Where We Work: Jordan." 2017, from <https://www.unrwa.org/where-we-work/jordan>.

education and healthcare. Today, most Palestinian refugee camps in Jordan are permanent low-income areas, and camps in urban areas are almost indistinguishable from the rest of the city.<sup>12</sup>

In 2003, the UNHCR prepared for a mass displacement from Iraq into neighboring countries, including Jordan.<sup>13</sup> Surprisingly to aid practitioners, Iraqi refugees did not enter Jordan at the scale they had expected in 2003; instead, displaced Iraqis arrived at a slower pace.<sup>14</sup> In 2006, more displaced Iraqis began requesting aid from UNHCR and INGOs as establishing a long-term livelihood in Jordan proved difficult for many.<sup>15</sup> As of March 2017, 62,000 Iraqi refugees still live in Jordan, though thousands have been resettled to the U.S. Iraqis in Jordan face similar challenges to Syrians, including limitations in obtaining housing and work permits.<sup>16</sup>

Since the migration of Iraqis into Jordan, Sudanese, Somali, Yemeni and other refugees have also entered the country as a result of conflicts in their countries of origin. To some extent one effect of this particular historical experience with refugee influxes has been to create hierarchies of different refugee nationalities. There exist different legal frameworks for these different nationalities and amounts of aid

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<sup>12</sup> Nevertheless, after 1988, the Jordanian government reversed the citizenship of thousands of Jordanians from Palestinian origin, a practice which Human Rights Watch claimed were “not based on Jordanian law” and “lacked a clear legal basis.” The Jordanian government pledged to end the practice in 2012.

HRW (2010). "Stateless Again: Palestinian-Origin Jordanians Deprived of their Nationality." Human Rights Watch.

<sup>13</sup> Seeley, N. (2012). Jordan's open door policy for Syrian refugees. Foreign Policy Magazine, The FP Group.

<sup>14</sup> Seeley, “The Politics of Aid.”

<sup>15</sup> Ibid.

<sup>16</sup> UNHCR (03/2017). "Jordan: UNHCR Operational Update, March 2017." from <http://www.refworld.org/docid/58c7fc844.html>

distributed to Syrians, Sudanese, Iraqis, Palestinians, Somalis, and Yemenis vary. Each nationality of refugees interacts with the international refugee regime in a different way based on their country of origin.<sup>17</sup>

No clear policy enumerates the roles and rights of refugees in Jordan. Jordan has not signed the 1951 Refugee Convention which standardizes refugees' rights in host countries worldwide. Although no Jordanian or international law outlines refugees' rights in Jordan, a 1998 Memorandum of Understanding (MoU) between the UNHCR and the Jordanian government explicates the relationship between the state and UNHCR. According to UNHCR, the "MoU establishes the parameters for cooperation on providing protection and assistance to refugees and asylum-seekers, and allows mandate refugees a maximum stay of six months after recognition, during which a durable solution should be found."<sup>18</sup> Notably, however, this MoU has not been upheld, and most refugees can renew their residencies after their six-month stay ends.<sup>19</sup> The MoU adopts the definitions of refugees and asylum seekers in Jordan, though Francis notes it "does not constitute a legal obligation."<sup>20</sup> It also affords non-Palestinian refugees access to Jordanian government services such as public education.<sup>21</sup> In Jordanian law, there exists "virtually no domestic law pertaining to

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<sup>17</sup> Davis, "Sudanese and Somali Refugees."

<sup>18</sup> UNHCR (2014). "UNHCR Global Appeal 2014-2015: Jordan." Retrieved 2017, from <http://www.unhcr.org/528a0a2c13.pdf>.

<sup>19</sup> Athamneh, A. B. (2016). "Jordanian Refugee Policy." *Jordan country profile*. 2017, from <http://www.bpb.de/gesellschaft/migration/laenderprofile/234510/jordanian-refugee-policy>.

<sup>20</sup> Francis, "Jordan's Refugee Crisis."

<sup>21</sup> *Ibid.*

refugees;” however, laws relating to foreigners’ activities in Jordan allow the state to monitor refugees’ activities.<sup>22</sup>

Refugees in Jordan are technically guests, a “category with no legal meaning.”<sup>23</sup> Instead, refugee policies derive from an evolving set of decisions made due to social and political circumstances. Nevertheless, Jordan has taken on many more responsibilities toward refugees than larger countries with more resources who have signed the 1951 Convention. Many INGO and U.N. workers in my interviews shared appreciation for Jordan’s historical commitment to providing refuge to many refugees from numerous countries.

### *Palestinian refugees and political scripts for forced migration*

Through its history with Palestinian refugees migrating into Jordan and instances of refugee-related conflict, the Jordanian government has developed an association between forced migration and political violence. The comparison between other nationalities of refugees and Palestinians has created a political script: an outline for emergent policy responses to refugee influxes and expected sequence of events that defines appropriate refugee policies.

These influxes of Palestinians created ongoing issues over the rights afforded to Palestinians, as well as Jordan’s national identity. As Geraldine Chatelard notes, “The Palestinians' political integration within Jordan was made highly conditional on their allegiance to a ruling monarchy that strove first to protect its own stability in the

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<sup>22</sup> Gibson, I. (2015). "An analysis of Jordan's 2013 policy regarding Iraqi refugees." *Social Identities* **21**(3), 201.

<sup>23</sup> Turner, L. (2015). "Explaining the (non-) encampment of Syrian refugees: security, class and the labour market in Lebanon and Jordan." *Mediterranean Politics* **20**(3), 392.

Arab-Israeli conflict rather than engage militarily with Israel.”<sup>24</sup> Many middle- and upper-class Palestinian families formed ties to the Hashemite monarchy.<sup>25</sup> The political activities of the Palestinian Liberation Organization (PLO) posed “a direct threat to the monarchy.”<sup>26</sup> From 1970-1971, a violent conflict erupted between the PLO and the Jordanian monarchy, during which the PLO challenged the monarchy’s authority and attempted to take over political power in Jordan.

Policies toward Palestinian refugees in Jordan, and the history of Palestinian migration into Jordan, affect Jordan’s political scripts governing future influxes of refugees. For one, the fact that a Palestinian political organization, the PLO, mounted a direct challenge to the Hashemite monarchy led the government to approach subsequent populations of refugees in terms of their potential for violence and threat to the political order. As Lewis Turner notes, “Palestinians are commonly associated with the phenomenon of refugee warriors, exemplified by Jordan’s violent confrontation with Palestinian militants during ‘Black September’ in 1970.”<sup>27</sup> Elizabeth Ferris and Kemal Kirisci also argue that memories of this uprising “left a deep imprint on Jordanian sense of national identity and national security.”<sup>28</sup> With this historical experience with refugee-related political conflict, the Jordanian state became more inclined to approach refugees as a national security threat when responding to future populations.

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<sup>24</sup> Chatelard, “Jordan: a refugee haven.”

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Leenders, “Refugee Warriors or War Refugees,” 348.

<sup>28</sup> Ferris, E. G., et al. (2016). The consequences of chaos: Syria's humanitarian crisis and the failure to protect. Washington, D.C, Brookings Institution Press, 47.

In addition, Jordan's experience with Palestinian refugees also gave the Jordanian government and humanitarian aid agencies a specific understanding of how to manage aid and refugee crises. Julie Peteet argues that "the specter of Palestine... in part, underwrites these strategies and policies toward refugees and the shrinking of the refugee category in the Middle East."<sup>29</sup> According to Peteet, because camps became the site of political organization of Palestinian refugees,

Camps were discursively coded as extra-territorial or subversive sites out of the bounds of the state. Once Palestinian resistance forces were defeated and disarmed by the Jordanian army, the camps, now well-monitored and surveyed by the Jordanian regime, were seen as pacified but always potentially subversive, hence the need for continuing strict controls.<sup>30</sup>

Thus, the "Palestinianization" of refugee crises (the concept that other refugee crises will become the "new Palestinians") creates a perception that encamped refugees could become militarized and politicized, another aspect of the government's expected outcome of refugee crises.<sup>31</sup>

In addition to Black September, tensions between East Bank and West Bank Jordanians have arisen and caused political challenges in Jordan at other times. Thus, another mechanism through which Palestinian and Iraqi migration has affected Jordan's approach to future refugee influxes relates to Jordan's stability and existing tensions between East Bank and Palestinian Jordanians. The Jordanian government relies on a "delicate balance"<sup>32</sup> between East Bank Jordanian and Palestinians to maintain stability, and holds authority based on a complex set of relationships with

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<sup>29</sup> Peteet, J. (2011). Cartographic violence, displacement and refugee camps: Palestine and Iraq. *Palestinian Refugees: Identity, Space and Place in the Levant*. S. H. Are Knudsen. New York, Routledge, 24.

<sup>30</sup> *Ibid.*, 23.

<sup>31</sup> *Ibid.*, 24.

<sup>32</sup> Francis, "Jordan's refugee crisis."



elite tribes. Because Palestinians form an ongoing source of challenge to the Jordanian monarchy, the Jordanian government is even more inclined to approach other populations of refugees as a potential security threat and source of political disruption. The relationship between Palestinian and East Bank Jordanians, and how it impacts the state's response to refugee influxes, are explored in Chapter 6 of this thesis.

Anthropologists have also noted that Palestinian refugees affected how Jordanians and other Arab countries conceptualized the idea of a "refugee." Geraldine Chatelard analyzes Jordanian governments' labeling of Iraqi refugees as "migrants" and "guests," stating that "In Jordan, as in other Arab countries, the notions of refugee and refugeeness have come to be inseparable from the Palestinian experience with the result that, between Arabs, refugeeness can only signify the experience of individuals who have been denied national existence."<sup>33</sup> Moreover, not only did Palestinian migration contribute to a political script approaching refugees as a security threat, but it also formed a particular political understanding of what it means to be a "refugee" and led the Jordanian government to see future populations as temporary guests, since their countries of origin were not occupied as Palestine had been. Thus, Jordan's experience with Palestinian migration shaped a political script of refugeeness, defining appropriate political responses to future refugee populations based upon the nature of the conflict from which they fled.

Finally, Jordan's history with Palestinian migration affected its responses to refugee crises because Palestinian refugees never left Jordan, making the Jordanian

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<sup>33</sup> Chatelard, G. (2010). "What Visibility Conceals: Reembedding Refugee Migration from Iraq." Dispossession and Displacement: forced migration in the Middle East and North Africa, 16.

government wary of allowing other populations of refugees to integrate into Jordanian society or set up long-term residence. Peteet notes that aid workers “refer to the Palestinianization of a refugee crisis when it is feared it will be prolonged, when durable solutions seem unattainable.”<sup>34</sup> With regard to future refugee influxes, Jordan reinforced that each population would receive status only as “guests,” pursuing a policy framework that would minimize the potential for refugees to establish a long-term presence in Jordan. The state took this approach out of a concern that future nationalities of refugees, like the Palestinians had, would never leave, develop their own permanent settlements, ultimately demand more social and political rights, and profoundly influence Jordanian society.

In addition, the Palestinian refugee crisis brought international aid to Jordan and spurred economic development, and the Jordanian state furthered its political and economic development through the contributions of Palestinians and presence of international agencies. Sarah Deardorff Miller notes that Jordan benefited from the influx of Palestinians, both “by leveraging aid to its advantage and by the contributions made by Palestinians in Jordan.”<sup>35</sup> Jordan’s practice of attracting international aid to support its infrastructure, security services and communities developed into a set of policy strategies during the Iraqi refugee crisis, as I explore in the following section.

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<sup>34</sup> Peteet, “Cartographic violence,” 24.

<sup>35</sup> Deardorff Miller, S. Ebook (2017). Political and humanitarian responses to Syrian displacement. Abingdon, Oxon; New York, NY, Routledge, an imprint of the Taylor & Francis Group, 47.

## *Developing policy strategies toward Iraqi refugees*

In responding to the Iraqi refugee crisis, the Jordanian government drew upon its history with Palestinian refugees, approaching Iraqi refugees as a security crisis rather than a humanitarian one. Thus, the state approached Iraqi refugees with the political scripts it developed through its experience with Palestinian migration. In addition, the Jordanian government formed policy strategies for handling refugee crises in line with its national security and stability goals. The Jordanian government worked to increase visibility of the Iraqi refugee crisis and maximize international aid directed toward Jordanian institutions. Approaching the refugee population as a security concern, however, led it to ultimately deport Iraqi refugees and impose border restrictions in the wake of a terrorist attack, imputing the definition of “security threat” onto Iraqis as a category of refugees. Building on Jordan’s scripts for governing migration, these strategies persisted and further developed in the state’s responses to future refugee populations.

The state approached Iraqi refugees from a lens of “Palestinianization,” both approaching refugees as a security threat and as short-term “guests.” As Turner notes, “Jordanian officials are quick to draw parallels [to Palestinians] when assessing the propensity for political violence among Iraqi refugees.”<sup>36</sup> Peteet writes that Iraqis at the time referred “to themselves as the ‘new Palestinians.’”<sup>37</sup> Seeley argues that the political scripts governing Palestinian migration led the Jordanian government to see

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<sup>36</sup> Leenders, “Refugee Warriors or War Refugees,” 348.

<sup>37</sup> Peteet, “Cartographic Violence,” 24.

the Iraqi refugee influx as a “a security or economic issue rather than a humanitarian one.”<sup>38</sup>

The intent to prevent another protracted refugee crisis also affected Jordan’s policy approach to Iraqi refugees. According to Seeley,

[The Government of Jordan] feared the crisis narrative would lead to Iraqis becoming like the millions of Palestinian refugees to whom Jordan already plays host, many of whom are provided their own schools and social services through the U.N. From the outset, Jordan made it clear that it would not accept such an outcome. The government argued that many displaced Iraqis were not refugees -- instead, they were “guests” whose stay would be temporary.<sup>39</sup>

In the Jordanian government’s response to the influx of Iraqi refugees, it became clear that Jordan’s history with Palestinian migration would influence the government’s approach to future refugee crises, both because Palestinian refugees became associated with political violence and because they never left Jordan. Not all Iraqis, however, could live as “guests” in Jordan, and this categorization meant Iraqis lived in a tenuous legal limbo in Jordan without clear rights and frequently risking harassment or deportation.<sup>40</sup> In this way, political scripts developed during the periods of Palestinian migration into Jordan continued to affect Iraqi refugees.

In response to this influx of Iraqis, Jordan did not establish camps for Iraqi refugees, which resulted in more difficulties amplifying the visibility of the Iraqi refugee crisis. In part, the Jordanian government likely feared another issue like the conflict with Palestinians, in which refugee camps had become militarized and politicized.<sup>41</sup> Yet because there existed no camps for Iraqi refugees in Jordan, the

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<sup>38</sup> Seeley, “Politics of Aid.”

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Peteet, “Cartographic Violence,” 24.

Iraqi population was not “spatially legible” and visible to the international community, and as Turner notes, “the non-encampment of Iraqi refugees disrupted Jordan’s attempts to use their presence to raise financial aid.”<sup>42</sup> As Marfleet and Chatty noted, Iraqi refugees garnered little media attention in Jordan as,

Media interest has shifted (alongside American foreign policy priorities) towards Afghanistan. There is an assumption that the refugee crisis as such is over and that mass returns are imminent: in this situation refugees can quickly drift out of the field of vision, becoming a peripheral problem or, if they do not behave as anticipated, a population that requires special remedial attention.<sup>43</sup>

Because the Jordanian government’s choice not to encamp Iraqi refugees affected its ability to attract international media attention and aid, this experience led the state to approach the Syrian refugee influx with a different strategy, which I discuss later in this chapter.

Given the invisibility of Iraqi refugees due to the state’s policy of non-encampment, the state adopted alternate strategies to maintain visibility of the crisis and receive aid supporting its institutions. To attract aid, the Jordanian government inflated the numbers of Iraqi refugees that entered the country, according to policy analysts.<sup>44</sup> Reports by NGOs found that as many as hundreds of thousands of Iraqi refugees were “missing” in records of UNHCR registration and aid distribution, meaning that the government likely inflated the numbers somewhat.<sup>45</sup> For instance, one survey conducted in 2007 by the Jordanian government and an NGO found that 161,000 Iraqi refugees were living in Jordan, in sharp contrast to the government’s

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<sup>42</sup> Turner, “Explaining (Non)-encampment,” 387.

<sup>43</sup> Marfleet, P. and D. Chatty (2009). *Iraq's Refugees: Beyond "tolerance"*, University of Oxford, Refugee Studies Centre, 16-17.

<sup>44</sup> Seeley, “Jordan’s open door policy.”

<sup>45</sup> Seeley, “The politics of aid.”

own estimate of 500,000.<sup>46</sup> Seeley also cites a statement from aid workers noting the government's "sensitivity" if these numbers were questioned.<sup>47</sup> Moreover, evidence from this period shows that the Jordanian government held a strategic interest in claiming higher numbers of Iraqi refugees than were actually present, in an effort to attract aid from the international community that it could then use to support Jordanian institutions.

With the Iraqi refugee crisis, the Jordanian government developed its practice of utilizing international funding to directly benefit Jordanians. Geraldine Chatelard writes that "aid to Jordan in the framework of the country's assistance to Iraqis has been largely used to develop public institutions (in particular the educational and medical sectors), and has only marginally benefited Iraqis."<sup>48</sup> In 2007, after accounts by the Jordanian government that the presence of Iraqi refugees had impacted Jordanian infrastructure, UNHCR donated 60% of its budget (\$21 million) directly to the government to support Jordanian infrastructure and "create protection space."<sup>49</sup> Over the following years, the United States and other international donors spent hundreds of millions of dollars more supporting the Jordanian government, as detailed by Seeley:

From 2007–2009, Jordan received close to \$400 million officially directed toward Iraqis, much of which went either to the government or into ventures like USAID's school construction program, under the rubric of "supporting Jordan's institutions."...In 2008, Congress authorized \$200 million in supplemental funding for Iraqi refugees, of which \$110 million went straight to the Jordanian government and another \$45 million to existing USAID programs in the water, health and education sectors.<sup>50</sup>

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<sup>46</sup> Seeley, "The politics of aid."

<sup>47</sup> Ibid.

<sup>48</sup> Chatelard, "What visibility conceals," 14.

<sup>49</sup> Seeley, "The politics of aid."

<sup>50</sup> Ibid.

Seeley also cites numerous reports that although the Jordanian government received large sums of aid directed toward Jordanian institutions, Iraqi refugees actually attended public education and used Jordanian public services only in small numbers.<sup>51</sup>

The extent to which international aid benefited Jordanian institutions rather than Iraqi refugees led aid agencies to rethink the idea of whether only refugees merit international aid, while also sparking criticism. Admitting that aid funding largely did not reach the Iraqi refugees beneficiaries that donors, namely the U.S., intended, many aid practitioners argued that Jordan also merited international aid due to its economic and internal challenges.<sup>52</sup> Some aid practitioners criticized this policy, calling it a “bribe” to ensure some level of cooperation and recognition from the Jordanian government.<sup>53</sup> Chatty noted in a 2009 policy brief concerning the Iraqi refugee crisis that this arrangement was “informal and unstable.”<sup>54</sup>

Because refugees’ status as “guests” was informal and unstable, and because the state was inclined to approach the Iraqi refugee population as a security issue, Iraqi refugees ultimately faced deportation and restrictions on entry. Initially, Jordan instituted an open-door policy for Iraqi refugees. Yet after 2005 terrorist attacks committed by Iraqis, in which a bomb at an Amman hotel killed 60 people, Jordan’s policies toward Iraqi refugees shifted.<sup>55</sup> The state first banned vehicles with Iraqi plates from crossing the border into Jordan, later imposing passport restrictions on

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<sup>51</sup> Seeley, “The politics of aid.”

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Chatty and Marfleet, “Iraq’s refugees: beyond tolerance,” 17.

<sup>55</sup> Marchi, G. D. (2014). The Jordanian response to the Syrian refugee crisis: border management between national security and International Law. Department of Culture, Politics and Society, Università degli Studi di Torino, 49.

Iraqis and denying entry to more Iraqis at the land crossing between Jordan and Iraq.<sup>56</sup>

After these incidents, the Jordanian government also began deporting and detaining Iraqi refugees in larger numbers. A 2006 Human Rights Watch report documented instances of refoulement of Iraqi refugees, noting that deportations occurred in greater numbers following the 2005 bombing:

Deportation procedures for Iraqis are swift. Iraqis interviewed by Human Rights Watch said that the police authorities wait until they have enough Iraqi overstayers to fill a bus. They said that a bus of deportees travels from Amman to the land border nearly every day since the hotel bombings.<sup>57</sup>

As noted in the report, these deportations violated Jordan's legal commitment to the principle of non-refoulement. The state also began to detain Iraqi refugees in greater numbers. Gloria De Marchi notes that after the attacks, "UNHCR declared that the number of detained asylum seekers increased from a monthly average of 16 cases to 40 cases."<sup>58</sup> Moreover, given that the Jordanian government already treated Iraqi refugees as a security issue, and that Iraqis' access to protection in Jordan was already unstable and defined only as temporary "guests," the 2005 attack led the government to transform its political script into a practice of deporting and detaining refugees indiscriminately for issues of security.

Thus, throughout the period of Iraqis' migration into Jordan, the state formed many key elements of its policies toward future populations of refugees. Because non-Palestinian refugees are treated as "guests," and because of Jordan's experience

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<sup>56</sup> Bel-Air, F. D. (2007). State Policies on Migration and Refugees in Jordan. Migration and Refugee Movements in the Middle East and North Africa. Cairo, American University in Cairo, 11-12.

<sup>57</sup> HRW (2006). Refoulement--Rejections at the Border and Deportations.

<sup>58</sup> De Marchi, "The Jordanian response," 49.



with refugee-related political violence, the Jordanian government has approached more recent influxes of refugees with an emphasis on the security and stability effects of hosting refugees. Despite this script governing refugee policy in Jordan focusing on the burdens and negative implications of refugees, the government also employed strategies during the Iraqi refugee crisis to ensure Jordanian institutions benefited from the presence of international aid agencies. Many policies toward Syrian refugees in Jordan, and the way in which the Syrian refugee response shifted from a humanitarian response to emphasizing national security and stability, reflect continuity with the Jordanian government's previous policy approaches. As concerns over political instability in Jordan and the securitization of Syrian refugees on an international scale have intensified since 2011, refugee policy has further shifted toward a national security-focused framework.

### **Shifting Policies toward Syrian Refugees**

*At the beginning you had a refugee crisis with a security component, and it has become a security crisis with a refugee component. So in the early days it was "these are our brothers," and so the natural generosity has now given way to more suspicion about who these people are, and the security card is played all the time now.*

-- International aid practitioner, Amman, cited by Dr. Dawn Chatty, 2015<sup>59</sup>

In this section, I show how various elements of national security-focused Jordanian refugee policies derive from the government's scripts and strategies for addressing forced migration, as explained above. Policies aiming to restrict Syrian

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<sup>59</sup> Chatty, D. (2016). "The Syrian Humanitarian Disaster: Disparities in Perceptions, Aspirations, and Behaviour in Jordan, Lebanon and Turkey." *IDS Bulletin* 47(3).

refugees' mobility and potential for integrating into Jordanian society stem from this history with refugee-related conflict and the government's inclination to approach refugees in terms of their anticipated national security consequences. Like Iraqi refugees, Syrians only hold tenuous legal status as "guests" and therefore are subject to refoulement and detention. With the Syrian refugee response, the state has continued and formalized its policy of directing international aid toward Jordanian institutions and communities. The Jordanian government has also employed tactics to maximize the visibility of the Syrian refugee crisis, using strategies from its experience with Iraqi refugees.

When the influx of Syrian refugees began, analysts were quick to note that the Jordanian government would draw on its previous policies toward Iraqi refugees. Seeley wrote in 2012 about "lessons" for the Jordanian government in dealing with the Iraqi crisis.<sup>60</sup> Ferris and Kirisci also argue that "the arrival of more than half a million Syrian refugees evoked, in the minds of the public and the leadership, the memories of the influx of Palestinian refugees in 1948 and again in 1967."<sup>61</sup>

The Jordanian government drew on its preexisting approach to refugees by affording Syrians legal status as "guests." The fact that Syrians, like Iraqis, have been labeled "guests" in part derives from the notion that Syrians, like Iraqis, have a state to which they can ultimately return. Perceptions of the Syrian conflict also differ because, unlike Israel's occupation of the West Bank and the U.S.' occupation of Iraq, internal actors perpetuated Syria's conflict, at least initially. In the course of my research and interviews throughout Jordan, many Jordanians distinguished between

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<sup>60</sup> Seeley, "Jordan's open door policy."

<sup>61</sup> Ferris, E. G., et al. (2016). The consequences of chaos: Syria's humanitarian crisis and the failure to protect. Washington, D.C, Brookings Institution Press, 47.

human rights abuses in Syria and in Palestine, in that Syria faced internal strife while Palestinians fell victim to an external oppressor, a distinction which marks a difference between the rights that are appropriately afforded to the two refugee populations. As Palestinian forced migration defined what it means to be a “refugee,” for many Jordanians, Syrians do not merit the long-term legal rights afforded to Palestinians. Thus, while Syrian refugees fit the state’s political script that refugees pose a political violence, state actors can also justify not affording them long-term rights based on differences in the political origins of the two conflicts.

In interviews, INGO and U.N. officials reiterated that the Jordanian government does not want to address the question of Syrians’ long term presence; one official, for instance, noted that the Jordanian government does not allow aid agencies to use permanent construction materials such as concrete in Za’atari and Azraq camps.<sup>62</sup> The Jordanian government wants to avoid a future in which refugee camps become Syrian-majority cities and Syrians form another displaced population with permanent residence in Jordan. Many aid workers also noted that Jordanian officials do not talk about policies toward the future of Syrian refugees in Jordan, instead reiterating that the Syrians would ultimately return to Syria.

Jordan has strategically used encampment to raise the profile of, and funds for, Syrian refugees on its territory.<sup>63</sup> Lewis Turner notes that “Jordan’s differing historical experiences of hosting encamped and non-encamped refugees” explain Jordanian refugee policies of encampment for Syrians.<sup>64</sup> With the Syrian refugee crisis, the Jordanian government has stated that 1.5 million Syrian refugees are living

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<sup>62</sup> Discussion with aid official, September 2015, Amman, Jordan.

<sup>63</sup> Turner, “Explaining (non)-encampment,” 387.

<sup>64</sup> *Ibid.*, 387.

in Jordan, but approximately 600,000 are registered. In both cases, the Jordanian government aims to maximize the amount of aid it receives from international donors in response to the crisis.

In the Syrian refugee response, the Jordanian government further institutionalized its strategy of directing international aid earmarked for the refugee crisis into its domestic institutions, citing the justification that host communities suffered under strains from the refugee crisis. As noted in Chapter 4, the state adopted a policy of requiring INGOs to spend 30-50% of their budgets on projects benefiting Jordanian host communities. Many INGO officials in interviews cited similar rhetoric as aid practitioners did during the Iraqi crisis, saying that they aimed to serve vulnerable Jordanians as well as Syrians. Although this reasoning logically follows from some INGOs' missions and approaches, it is worth noting that diverting aid from the Syrian refugee response into supporting Jordanian government institutions creates an aid framework more focused on strengthening an existing state than affording protection to people without the protection of a state (the established goal of the international refugee regime), as discussed in Chapter 4.

In the beginning of the crisis, Jordan adopted an "open-door" policy toward refugees, meaning borders would remain open and Syrians fleeing the war could enter Jordan. Spokespeople for the government reiterated Jordan's open-door policy in public statements, with a government spokesman stating "We are committed to an open-door policy" in 2013<sup>65</sup> and "Jordan maintains an open-door policy" in 2014.<sup>66</sup>

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<sup>65</sup> -- (2013). Jordan refutes Amnesty claims, says border open to Syrian refugees. Jordan Times. Amman.

<sup>66</sup> Williams, S. E. (2014). Jordan keeps 4,000 refugees in desert. The Times. London.

Nevertheless, many INGO officials noted in interviews that they felt the government “played the security card”: frequently using “security” as a rationale to reverse Jordan’s open-door policy and minimize its responsibility to refugees. Since a terrorist attack at Rukban in June 2016, the government sealed the border with Syria entirely, mirroring the approach it took with Iraqi refugees.

In recent years, the Jordanian government’s “ruling bargain” has been challenged as rural East Bank Jordanians have felt increasingly marginalized and Palestinians have called for increased inclusion in the East Bank Jordanian-dominated government. The Syrian crisis arrived at an already-complex moment for Jordan’s political stability, exacerbating certain resource issues while also introducing a large, newly-arrived population that may demand greater political rights over the coming years. These concerns about Jordanian political stability, rooted in ongoing questions about the role of Palestinians in Jordanian society, are explored in Chapter 6 of this thesis.

## **Jordan's Shifting Ruling Bargain**

*We had problems before the Syrians came, and while they made issues worse, it is also easy to blame them.*

*—Elderly Jordanian woman in Mafraq<sup>1</sup>*

In the previous chapter, I established continuity between the Jordanian state's current refugee policies and its historical frameworks for addressing migration, arguing that institutional strategies and political scripts underlie Jordan's current approach. In this chapter and the next, I explain reasons for change, examining why there has been continuity with previous policies and strategies while the state has also increased restrictions upon refugees and limited their access to protection.

To explain why refugees' access to protection in Jordan has become substantially more limited during the period of the Syrian civil war, and why the state has adopted a growingly restrictive security paradigm, I contextualize this shift in refugee policy within Jordan's internal political dynamics. I argue that Jordan has four pre-existing strategic goals related to its ruling bargain, which has recently been affected by factors like the 2008 economic crisis and the 2011 Arab Spring. These incentives stem from Jordan's challenges in maintaining political power, pre-date the influx of Syrian refugees, and have influenced its approach to Syrian refugees. I derive these four strategic goals from secondary literature on Jordan. Jordan's four strategic interests that affect and underlie its refugee policy decisions are: to prevent cross-sectional mobilization, maintain a demographic balance, detract from its long-

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<sup>1</sup> Mercy Corps, "Tapped Out," 23.

standing structural problems, and attract external aid. The state's refugee policies and scripts about refugees, which justify its policies, serve these four long-standing strategic goals.

In establishing these four goals and demonstrating how they affect refugee policy, I use Kamrava's theory of explaining regimes' strategies for maintaining power across the Middle East and North Africa in terms of "ruling bargains."

Kamrava explains the Arab Spring as the unraveling and redefinition of several existing ruling bargains that had upheld authoritarian governments and monarchies across the Arab world. Kamrava defines the ruling bargain as the following,

In broad terms, the implicit bargain underlying the nature of political rule in the region has required citizens to surrender their political and social rights to participatory government. They are expected to accept the legitimacy of the ruling regime, however grudgingly, and are rewarded with a variety of goods and services in return, most of them tangible but also some intangible, as well as socio-economic benefits. The scope of state munificence extended to the citizenry was dependent on the state's financial capacity.<sup>2</sup>

According to Kamrava, ruling bargains consisted of "implicit, unspoken assumptions on which the general parameters of state-society relations were premised."<sup>3</sup> States self-presented as promoting the "national interest," meaning "security, economic opportunities, social goods, [and] fulfillment of national aspirations...in return for general political quiescence on the part of social actors."<sup>4</sup> As states proved unable to fulfill these roles, they devised a number of strategies to maintain power, including instilling fear, developing large coercive apparatuses, taking some controlled measures to liberalize or reform, and coopting potential challengers.<sup>5</sup>

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<sup>2</sup> Kamrava, *Beyond the Arab Spring*, 2.

<sup>3</sup> *Ibid.*, 3

<sup>4</sup> *Ibid.*, 3.

<sup>5</sup> *Ibid.*, 18.

Jordan's ruling bargain survived the Arab Spring but still faces a number of challenges. Analysts have called Jordan "forever on the brink" because its state has persisted despite facing potentially destabilizing conditions since its inception.<sup>6</sup> Ziad Abu Rish argues specifically that state formation in Jordan had four important elements "which directly impinge on the regime, its policies and the social dynamics they engendered."<sup>7</sup> These four elements include the reliance of the Hashemite regime on "external rents made up of military supplies, budgetary and development assistance, and preferential trade agreements,"<sup>8</sup> "the territorial and demographic expansion of the Jordanian state in the wake of the 1948 *Nakba*,"<sup>9</sup> "the repertoire of coercion and violence developed by the regime in its policies vis-à-vis domestic opposition,"<sup>10</sup> and the longevity of the Hashemite regime compared to other monarchs.<sup>11</sup>

The state has stayed in power due to a number of strategies that it employs to prevent instability. Contemporary political problems in Jordan (such as ongoing protests over economic problems and resource shortages) pose a new challenge to the Jordanian state, and I explain how concern over political stability in light of these problems drives Jordan's adoption of increasingly restrictive refugee policies. Because the state's strategies for maintaining power by suppressing potential political mobilization, creating bargains and arrangements with East Bank Jordanian tribes,

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<sup>6</sup>Lynch, M. (2012). Jordan: Forever on the brink. *Foreign Policy Magazine*, The FP Group.

<sup>7</sup>Rish, Z. A. (2014). Protests, Regime Stability, and State Formation in Jordan. *Beyond the Arab Spring: The Evolving Ruling Bargain in the Middle East*. M. Kamrava, Hurst & Company Limited, 284.

<sup>8</sup>Ibid., 285.

<sup>9</sup>Ibid., 287.

<sup>10</sup>Ibid., 288.

<sup>11</sup>Ibid., 289.



and attracting external aid have been necessary for it to persist, in explaining limitations to refugee protection I contextualize Jordan's refugee policies within these practices and strategies.

### *Prevent cross-sectional mobilization*

As established in the previous chapter, the Jordanian state is predisposed to approaching the influx of Syrians as a security crisis. The state can utilize the narrative that Syrians pose a security threat to avoid cross-sectional mobilization and pressure for regime change or reform. Employing rhetoric that construes Syrians as a source of political violence allows the state to justify its continued control over public spaces and its lack of reform. As Jordanians' concerns about instability have amplified over the course of the Syrian civil war, the script that Syrians could militarize also heightens these concerns, further quelling potential political mobilization.

Jordan has long averted pressure to democratize by pointing to threats of Islamism, radicalism, and instability the "day after" regime change. Sean Yom calls this political strategy the "Islamist bogeyman," stating that,

Alarmists in Washington and Amman like to portray Jordan as constantly on the brink of collapse, besieged from within by Islamic fundamentalism and ethnic conflict. Only a centralized and powerful monarchy, the argument goes, can keep the country together. Yet upon closer scrutiny, these threats are bogeymen... Another scaremongering tactic is emphasizing Jordan's vulnerability to radicalism and violence.<sup>12</sup>

Additionally, arguments about the threat of Islamic fundamentalism in Jordan serve to justify the presence of intelligence surveillance, continued management of public

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<sup>12</sup> Yom, S. L. (2013). "Jordan: The ruse of reform." *Journal of Democracy* 24(3), 129-130.

spaces, and suppression of potential opposition groups. The Jordanian government has long maintained a strategy of managing and policing public spaces in order to prevent cross-sectional protest movements from forming. The Jordanian state employs a strong coercive apparatus to do so, with Kamrava stating that “through continued management of potential groups and spaces, the regime has been able to undermine the possibilities for cross-sectoral, oppositional alliances.”<sup>13</sup>

The Jordanian government’s restrictions on Syrian refugees and strict limitations on refugees’ mobility forms part of their broader strategy to manage groups and spaces that could potentially politicize and create cross-sectional mobilization against the regime. Policies such as the government’s policing of refugee camps, control over refugees’ movement and residence within Jordan, and deporting “troublemaker” refugees for any involvement in political protest demonstrate that the state manages Syrian and other refugees as potentially disruptive groups. In addition, hierarchies of refugees’ status within Jordan and the fact that different nationalities of refugees are treated differently and restricted to separate spaces also prevents cross-sectional mobilization across refugee populations.

Apart from driving the state’s approach to refugees themselves, the Jordanian government has highlighted the narrative that Syrian refugees in particular pose a security threat, which prevents the Jordanian population from pursuing protests or reform. In rhetoric linking Syrian refugees to the threat of ISIL, the Jordanian government has highlighted the notion that ISIL fighters are among the refugees. For instance, in a 2016 BBC interview, King Abdullah stated that there are “elements” of

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<sup>13</sup> Kamrava, *Beyond the Arab Spring*, 10.

ISIL among the Syrian refugees.<sup>14</sup> Government spokesman Mohammad al-Momani also noted in 2016 that “We have serious concerns that among these people are terrorist organization infiltrators” among other statements along similar lines.<sup>15</sup>

In part this rhetoric builds on existing political scripts to approach refugees as a potential national security threat and derives from an international context in which refugees are growingly securitized (as I argue in Chapter 7). This argument that Syrian refugees could potentially be fighters in ISIL or other militant groups justifies the state’s increasing restrictions on refugees’ access to protection, and has been the primary argument for its decision to close the borders and detain refugees in Azraq Camp. Ensuring that refugees live in a tenuous protection space where they could easily be deported or detained makes them less likely to mobilize or pose a political challenge.

The state’s interests in preventing future mobilization in the aftermath of the Arab Spring also play a role in driving their rhetoric about Syrians. The Jordanian government was not immune to the political challenges of the Arab Spring, and a protest movement erupted from 2011-2012 due to economic frustrations, calling for political reforms and using more radical forms of protest than in prior instances. In light of these protests, Yom notes that King Abdullah is facing the most severe challenge to his authority since his ascension to power in 1999.<sup>16</sup> Moreover, the Jordanian government, facing more radical and widespread forms of protest during

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<sup>14</sup> Spencer, R. (2016). Trapped, the thousands of Syrians fleeing Isil to desert camp in no-man's land. The Daily Telegraph. London, Daily Telegraph.

<sup>15</sup> Ibid.

<sup>16</sup> Yom, Ruse of Reform, 127.

the Arab Spring, can benefit from the fear of instability, the threat of ISIL and visibility of the Syrian crisis.

Since 2012, the specter of Syria and the presence of Syrian refugees have served to quell large-scale political protests at least temporarily. As the Arab Spring did not lead to democratization in several countries across the region, and instead caused widespread instability and in the case of Syria, a brutal, unending civil war, analysts such as Phillips and Abu Rish have noted that dissenters and activists in Jordan have become fearful of the potential for similar instability in Jordan.<sup>17</sup> Because protesters fear what may happen “the day after” toppling the Hashemite regime, most have called for reforms rather than regime change altogether.<sup>18</sup> By highlighting the threat that Syrians pose, the state can maximize people’s concerns about instability, spillover from the Syrian conflict, and the “day after” the Hashemite regime. This sentiment among activists prevents cross-sectional mobilization.

Nevertheless, other research on Jordanian protests demonstrates that this pause in political disruption and protest may be temporary, given that the Syrian civil war will eventually end and activists’ attention will turn back toward demanding reform.<sup>19</sup> Thus, there are likely to be future challenges to the Hashemite regime and

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<sup>17</sup> Kamrava, *Beyond the Arab Spring*, 10.

<sup>18</sup> Abu Rish, “Protests, stability, and state formation,” 296.

<sup>19</sup> Colfax Phillips posits “that the Syrian conflict and the subsequent fear of domestic unrest and instability in Jordan silenced public East Bank Jordanian opposition and has temporarily tempered the societal effects of a new, nascent state-tribal social contract. A domestic fear of the sociological ‘contagion effect’ with regards to the Syrian conflict inflicted East Bank Jordanian activists with the fear that the growing violence and instability in Syria could spread to Jordan if internal protests and opposition continued to threaten the stability of the Hashemite regime. In other words, these tribal opposition forces recognize that Jordan is not immune from the spillover effects of the conflict in Syria and its consequences, which include a growing Syrian refugee crisis and the proliferation of extremist militant groups.” Phillips, C. D. (2016). *The Unfolding Tribal Awakening in Jordan: Marginalization, Opposition, and an Uneasy Stability in the Hashemite Kingdom*, 76.

Jordan continues to employ strategies to prevent such mobilization. The presence of Syrians allows the state to justify continuing a number of practices that prevent cross-sectional mobilization. If Jordanians believe that the presence of Syrian refugees is likely to cause a threat to their national security, this justifies Jordan's continued lack of democratic reform and the continued presence of the security apparatus policing public spaces.

It is worth noting here one limitation in my field research: because of lack of access to Jordanian public officials and the politically sensitive nature of this topic, I cannot establish proof that preventing cross-sectional mobilization was the direct goal of any particular refugee policy. Yet from other literature and analysis of Jordan, it is clear that the state is concerned about challenges to its legitimacy and mobilization from the population. Given the Jordanian state's concerns over political stability, certain refugee policies and rhetoric concerning refugees appears to also fit the state's strategic goals of quelling cross-sectional mobilization, and it has adopted a growingly restrictive national security paradigm for refugee policy in this context.

### *Maintain a demographic balance*

As mentioned in Chapter 5, Jordan has long seen tensions between East Bank Jordanians and Palestinians. While East Bank Jordanians compose the government and military, Palestinians have growingly attained economic empowerment and have in various periods demanded more political rights. The state does not want to integrate any new class of people who could potentially begin to demand rights and reform. As Maha Yahya notes, "policymakers and the populace at large are increasingly alarmed that the dramatic spike in the number of refugees fleeing into

their countries is altering current demographics and undermining existing social orders.”<sup>20</sup> Integrating hundreds of thousands of Syrians into Jordanian society and institutions would pose a long-term political problem to the Jordanian government, further making the East Bank Jordanian population a minority and ultimately posing political challenges to the regime.

For this reason, the long-term question of Syrian refugees’ role and integration in Jordan is not addressed by the government, with the state instead pursuing policies that mitigate their interaction and engagement with Jordanian society. As Abu Rish established, the Jordanian state maintains control and legitimacy based on a particular power arrangement with East Bank Jordanian tribes; the presence of Palestinians has already posed a challenge. In light of political disruptions from the Palestinian population, the state views Syrians as potentially forming another population that could politicize and challenge the regime’s power.

This strategic goal of preventing Syrians from integrating into society and avoiding a long-term demographic shift in Jordan drives a number of refugee policies and limitations to refugee protection. A Jordanian minister confirmed this view, stating that “You try to restrict their access to the labor market. You try to restrict their access to areas that could enhance sustainability. You provide the minimum education, health and food, but not anything further. You don’t want to enhance their engagement with the rest of the society.”<sup>21</sup> Inherently, providing refugees with sustainable access to protection conflicts with the policy goal of preventing the long-

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<sup>20</sup> Yahya, M. (2015). "Refugees and the making of an Arab regional disorder." *Carnegie Middle East Center* 9(11).

<sup>21</sup> *Ibid.*, 14.

term presence of refugees; therefore, many policies limiting refugee protection stem from the state's interest in limiting refugee integration.

For example, policies of refugee encampment and restrictions upon Syrian refugees' mobility stem from the strategic goal of maintaining a demographic balance. The state has implemented a policy of forcibly moving refugees from urban areas back into camps, from a situation in which they can live sustainably into a controlled space where their integration into Jordanian society is prevented.<sup>22</sup> As previously noted, organizations had been prohibited from using any permanent building materials in refugee camps because the state did not want the refugee camps to become permanent structures.<sup>23</sup> Each of these policies, which derive from the state's goal of preventing refugees from permanently living in Jordan and maintaining a demographic balance, restrict refugee protection as a result.

The state's interest in maintaining a demographic balance also yields a concern over sheer numbers of refugees living in the country, a rationale with which it explains its decisions to close its borders and limit refugees from entering the country (claiming the statistic that Jordan hosts over 1.4 million refugees, as noted in Chapter 5, and arguing that Jordan is at a "boiling" or "breaking" point as I discuss later in this chapter). Moreover, one source of normative tensions for aid agencies in maintaining a relationship with the government arises due to the fact that the state's policy goal is for refugees to eventually leave, and in contrast, upholding refugee protection norms would mean allowing refugees to establish sustainable livelihoods in Jordan.

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<sup>22</sup>Francis, "Jordan's refugee crisis."

<sup>23</sup> Discussion with aid official, September 2015, Amman, Jordan.

### *Attract external aid*

Since its inception, Jordan, a rentier state, has relied on external aid from patron states. In light of pressing political and economic problems that the Jordanian state has faced in the past decade, it aims to direct external aid afforded to Syrian refugees into its internal institutions. Because of this strategic goal, Jordan has built on the institutional strategies it developed to maximize aid afforded to its internal institutions during the Iraqi refugee crisis. As an additional strategy, the state has framed the Syrian refugee population as a burden on Jordan's economy, despite the fact that Jordan's economic issues predated the refugee crisis and evidence that the presence of refugees has had both positive and negative impacts.<sup>24</sup> Framing the Syrian refugee population as an economic burden allows Jordan to attract additional aid from its external backers and detract from long-standing problems.

Abu Rish contextualizes Jordanian politics within its continued dependence on external rents, arguing that "External aid was crucial to the longevity of the above mentioned modes of socio-political incorporation and it continues to be so today."<sup>25</sup> Notably, the U.S. and U.N. agencies became Jordan's primary source of rents in the 1950s.<sup>26</sup> To continue attracting external aid from the 1950s to the present, Jordan has offered external patrons, most notably the U.S., a "bulwark" of stability and friendly

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<sup>24</sup> Jordan has used the crisis as an opportunity to direct international aid into its internal institutions. Jordan's GDP has risen and unemployment has remained the same. Simultaneously, however, there has been some job transfer, especially in the informal labor market. Resource pressures, such as water shortages, cause a major issue. Francis, "Jordan's refugee crisis."

<sup>25</sup> Abu Rish, "Protests, regime stability, and state formation," 286.

<sup>26</sup> *Ibid.*, 285.



relations in an otherwise instable region.<sup>27</sup> Jordan has also received debt relief in exchange for certain foreign policies, such as from establishing a peace agreement with Israel.<sup>28</sup>

The Jordanian economy was negatively impacted by the 2008 worldwide financial crisis, with high unemployment and declining GDP plaguing Jordan from 2008-2010.<sup>29</sup> As Kirk Sowell notes, while increased external aid has allowed Jordan to mitigate these problems, Jordan is nevertheless “sliding toward insolvency” due to its long-term economic problems: its economy has a weak private sector, high debt and a poor education system.<sup>30</sup> In light of these problems, Sowell also writes that “Officials routinely cite regional instability and resulting refugee flows as the reason why Jordan is so much in need of aid... Yet aid provided by international agencies to refugees, combined with the increase in direct budget support through foreign aid, appears to be balancing out the refugee costs, as seen from comparing deficit levels before and after recent instability... even if the regional security crisis were to somehow disappear in the near future, the weakened incentives for foreign donors to provide aid for refugee costs would leave Jordan with a new debt crisis.”<sup>31</sup>

Jordan’s strategic goal of attracting aid and directing it into its internal institutions reflects the institutional strategies that emerged during the Iraqi refugee crisis. This goal drives policies like the requirement that aid organizations channel

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<sup>27</sup> Ryan, C. (2014). "Jordanian Foreign Policy and the Arab Spring." Middle East Policy Council **XXI**(1).

<sup>28</sup> Sowell, K. (2016, 03/17/2016). "Jordan is Sliding Toward Insolvency." Sada: Middle East Analysis. 2017, from <http://carnegieendowment.org/sada/?fa=63061>.

<sup>29</sup> Francis, “Jordan’s refugee crisis.”

<sup>30</sup> Sowell, “Jordan is Sliding.”

<sup>31</sup> Ibid.

30-50% of funding into Jordanian institutions and the creation of the Jordan Response Plan to promote Jordan's "resilience" as discussed in Chapter 4.

As a strategy in response to the insidious economic challenges that have emerged since 2008, the state has consistently employed a narrative that Syrian refugees are an economic burden. This narrative serves to attract more aid. For instance, in a 2013 statement following a meeting with President Obama, King Abdullah's press release stated that "The problem is obviously the burden that [Syrian refugees] are having on Jordan."<sup>32</sup> At a 2014 Clinton Global Initiative panel discussion, King Abdullah argued that refugees had stymied Jordan's recovery from economic crisis, saying "We have also invested in our youth and there are many programs going on between the public and private sectors and a lot of investments coming to Jordan, but on the other side of the story, there is the burden of refugees."<sup>33</sup> In these and other statements, the King focused on refugees as the cause of Jordan's economic problems. Following these public statements, then-President Obama and former President Bill Clinton each contributed a large aid package toward Jordan's infrastructure.

In another notable example, King Abdullah told Western news agencies before the London Conference, a major donor conference on Syria in February 2016, that Jordan was at "a boiling point" with refugees, and that "for the first time... we can't take it anymore."<sup>34</sup> King Abdullah went on to note that Jordanians must be the focus of the international community's efforts, stating that "the dam is going to burst

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<sup>32</sup> King Abdullah II Media Centre. (2013). Jordanian-US summit held in Amman. Amman, Hashemite Kingdom of Jordan.

<sup>33</sup> King Abdullah II Media Centre. (2014). King outlines Jordan's future vision at Clinton Global Initiative. New York, Hashemite Kingdom of Jordan.

<sup>34</sup> BBC (2016). Syria conflict: Jordanians 'at boiling point' over refugees. [BBC News](#), BBC.

and I think this week is going to be very important for Jordanians to see, is there going to be help - not only for Syrian refugees, but for their own future as well.”<sup>35</sup>

The narrative that Jordan is at “a boiling point” serves to justify increasingly restrictive refugee policies among Jordan’s external patrons and backers. By communicating that Jordan is “bleeding” because of Syrians, the Jordanian government drew more international aid; clearly, King Abdullah’s goal in this comment was largely to attract aid. This effort succeeded, with Jordan receiving \$1.7 billion in grants and grant equivalents after the London Conference,<sup>36</sup> a large proportion of which the Jordanian government invested in developing its internal security apparatus.<sup>37</sup> In addition, by referencing Jordanians’ “futures” in relation to garnering more aid, the government can position itself publicly as defending Jordanians’ economic interests and access to opportunities. In doing so, the state also aims to alleviate political pressure over economic and infrastructural problems.

### *Detract from structural, long-term issues*

As explained in the previous section, one of the Jordanian government’s key motives for refugee policies has been to attract more aid from external patron states. Many U.N. agencies and INGOs now operate in Jordan in response to the Syrian crisis. Yet in some areas, refugee aid agencies have caused frustration among Jordanians. The presence of refugees has “revealed long-present and deepening fissures” in Jordan’s economy, infrastructure, and services<sup>38</sup> and in many cases,

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<sup>35</sup> BBC, “Syria conflict.”

<sup>36</sup> JT (2016). Jordan secures \$1.7b grants, grant equivalents at London conference. The Jordan Times. Amman.

<sup>37</sup> Researcher on Jordan, discussion with the author, March 3, 2017.

<sup>38</sup> Francis, “Jordan’s refugee crisis.”

Jordanians have grown frustrated with the services that international agencies afford to refugees. As these sentiments have in certain instances yielded protests, the government has responded by regulating INGOs, requiring international organizations to channel a significant proportion of their resources into Jordanian communities, and leading efforts to redirect the refugee response into an international effort focused on Jordan's development and "resilience." These policies attempt to detract from long-term structural issues and alleviate anti-government sentiment.

Jordan is a state with few natural resources, and frustration over resource shortages and economic problems in part sparked its wave of Arab Spring protests. Evidence from interviews in Jordan, as well as reports from INGOs operating in rural areas of Jordan, show that the presence of refugees and aid organizations often highlights the most pressing challenges Jordan faces. Simultaneously, the presence of refugees and increased population in some cases increases resource usage and exacerbates pre-existing structural problems, drawing attention to the government's failure to address these issues. The presence of INGOs and refugees has contributed to anti-government sentiment as a result.

Cities like Mafraq and Ramtha in northern Jordan exemplify the potential for tension over resources fostering anti-government sentiment. As noted in Chapter 4, an interview with an INGO official showed that instances of protest and frustrations with the presence of international aid organizations led to the government's policy of requiring 30% or more of aid funding to support Jordanian communities. Since 2012, the government has continued to emphasize governance issues and led efforts to direct foreign aid into Jordanian communities to increase Jordan's "resilience." This

policy has transformed aid organizations' response from focusing on emergency aid to refugees into largely focusing on Jordanian development, as discussed in Chapter 4. By redirecting international organizations' programming into Jordanian communities, the Jordanian government can mitigate short-term political pressures that arise over the presence of these organizations.

Despite the government's increasing regulation of international organizations' work and efforts to channel aid into Jordanian communities, tension over resources, particularly water shortages, have grown and fostered both resentment of the government and anti-refugee sentiment. Due to aging water infrastructure, combined with increased population demand for water in refugee-hosting communities, Jordanians growingly lack access to water;<sup>39</sup> as one report noted, "Weeks might elapse before a drop comes out of the tap."<sup>40</sup> In a 2014 report, Mercy Corps stated that,

Jordanian resentment towards refugees has grown. It is an environment ripe for scapegoating... Jordanian patience is wearing thin. Just as troubling is Jordanians' growing frustration with their government. The Government of Jordan has been a generous host to beleaguered Syrians, but the institutions responsible for providing water have been unable to meet rising demand. Anger over water scarcity is increasingly directed at Amman. In some cases, tensions have already ignited.<sup>41</sup>

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<sup>39</sup> The report also noted that Jordan's long-term strategy for water infrastructure has been outpaced by population increases: "The Kingdom's 2008 water strategy assumed consistent population growth, from about 5.87 million in 2008 to over 7.8 million by 2022. But with the influx of Syrians, the population of Jordan in December 2013 already approached 8 million." The report also noted that one of the largest problems with water arises due to water leaking out of aging infrastructure; the government estimates that 50% of water is lost to leaks on average.

Mercy Corps (2014). Tapped Out: Water Scarcity and Refugee Pressures in Jordan. Portland, Mercy Corps, 8-17.

<sup>40</sup> Ibid., 4.

<sup>41</sup> Ibid., 4.

Previous strategies of pursuing policies that limited and redirected international aid agencies' programming did not prevent this long-term infrastructural crisis, and as the Mercy Corps report notes, resource shortages "give voice to old grievances."<sup>42</sup>

In addition, as noted above, redirecting international organizations' funding into Jordanian institutions and communities, combined with the state's narrative of placing blame on Syrians for these structural issues and resource shortages, may allow the regime to alleviate political pressure and detract from anti-government sentiment in the short term. Yet in the long term, it does not appear that this strategy can persist, as the more insidious structural issues in Jordan will continue. In addition, it appears that donor interest in supporting refugee protection organizations in Jordan will decline over time, with one aid practitioner noting "we are witnessing a donor fatigue."<sup>43</sup> There may exist fewer resources for the Jordanian state to redirect from international organizations in the future, and these structural issues will continue if left unfixed.

*"They're on message all the time"*

In some ways, policies that uphold refugee protection and policies that are in Jordan's long-term political interest of maintaining regime stability are inherently in conflict. Yet allowing Syrians and other refugees to pursue more sustainable means of existence could allow Syrians to contribute to the economy and prevent them from facing human insecurity.

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<sup>42</sup> Mercy Corps, "Tapped Out," 23.

<sup>43</sup> Interview with aid official, August 29, 2016, Amman, Jordan.

Moreover, the state articulates its problems and justifies its policies with regard to refugees in relation to its pre-existing strategic goals. One individual who worked with an aid organization in 2014 and frequently interacted with government officials in this capacity noted that the Jordanian government clearly had an interest in highlighting a negative narrative focusing on the burden and threat that Syrian refugees pose to Jordan, stating that “They’re on message all the time.”<sup>44</sup> By purporting that Syrians bring security threats, elements of ISIL, and an economic burden, the Jordanian government can continually justify its practices that allow it to maintain legitimacy and prevent disruptions.

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<sup>44</sup> Discussion with the author, March 1, 2017.

## “This is Not Jordan’s Problem”

*The Islamic State has promised to attack us. They said American blood is the best blood, and that they will taste it soon. I believe them. So given that we don’t know who they are, we can’t screen them properly... and that the President is insisting on admitting 10,000 more Syrian refugees, I would like each of you to answer, how can we be assured and assure the American people that there won’t be ISIS fighters hidden among the refugees coming into this country? How do we separate salt from sugar?*

– U.S. Representative Lou Barletta (R-PA)<sup>1</sup>

Using securitization theory, I contend in this chapter that U.S. securitization of Syrian refugees in 2015-2016, demonstrated through congressional hearings held between 2011 and the present, played a role in legitimizing Jordan’s securitized rhetoric linking Syrians to the threat of ISIL, and removing strategic incentives for Jordan to comply with refugee protection norms. The U.S. and Jordan share an important foreign policy relationship, in which the U.S. has a large amount of political influence in Jordan and conversely, Jordan’s security and stability benefits U.S. foreign policy interests.

I contextualize shifts in Jordanian refugee policy toward a restrictive national security paradigm within an international context in which Syrian refugees are increasingly constructed as a security threat. Resettling Syrian refugees in the U.S., part of the U.S.’ normal response to refugee crises, sparked a political controversy in which legislators cited perceived links of ISIL and other threatening elements among

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<sup>1</sup> U.S. Congress, House of Representatives, Committee on Homeland Security and Committee on Foreign Affairs: *The Rise of Radicalism: Growing Terrorist Sanctuaries and the Threat to the U.S. Homeland*, 114th Cong., 1st sess., 2015, 73.



Syrian refugees. Legislators in the U.S. Congress, particularly from the Republican Party, aimed to highlight the Democrat-controlled executive branch's failure to respond to a security threat. Legislators legitimized the notion that Syrian refugees pose an existential threat to the U.S. despite the existence of a screening process involving rigorous security checks.

The emergence of ISIL as a primary policy concern, the Obama administration's decision to resettle 10,000 Syrian refugees, the 2016 election, the securitization of Muslims and Arabs by U.S. policymakers that has intensified since 9/11,<sup>2</sup> and racism all contributed to this securitizing move. Though these factors are relevant to my analysis, I focus in this thesis on the implications of this securitization in Jordan: specifically, how it legitimized restrictive refugee policies and political scripts construing refugees as a security threat.

As mentioned earlier in this thesis, Jordan, a smaller country with concerns over regional, economic, and political instability, hosts over 600,000 registered refugees without the capacity to conduct the lengthy security screenings that the U.S. requires. It is clear that these statements by U.S. lawmakers have not gone unheard by the Jordanian government. Rather, the Jordanian government has paid attention to the U.S.' securitization of Syrian refugees, which has enabled Jordanian state actors to use similar rhetoric, moving Syrian refugees outside the realm of "normal" politics and approaching them with increasingly restrictive policies.

This chapter draws from Watson's analysis of the securitization of humanitarian migration in Australia and Canada. For Watson, establishing securitization involves three steps: to identify the "normal" relationship between two

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<sup>2</sup> Coen, "Securitization and Normalization," 1.

elements, to identify “discursive contestation and implementation of emergency measures,” and to provide a an “in-depth analysis of the securitization process itself.”<sup>3</sup> In this chapter, I identify the normal relationship between the U.S. and refugees, analyze the process of securitization in U.S. congressional hearings from 2011-2016, and demonstrate how securitization has led to the implementation of emergency measures in the U.S. Subsequently, I explain implications for Jordanian refugee policy.

## **U.S. congressional hearings, 2011-2016**

### *Theoretical Framework and Contribution*

Watson’s theoretical framework and contributions to securitization theory form the foundation for this chapter’s analysis. Drawing on Watson, I chose to analyze the United States, a state with demonstrable commitments to refugee protection; notably, the U.S. is Jordan’s main foreign donor and source of external aid. I code mentions of Syrian refugees as humanitarian or security-threat focused, and examine the wider social context and impacts of securitization in Jordan.

The Jordanian state relies heavily on U.S. aid and upholding American interests in order to continue receiving aid. As discussed in Chapter 6, Jordan is typically understood as a “rentier state” because of its reliance on foreign aid.<sup>4</sup> This reliance on foreign aid forms an important part of the state’s ruling bargain. As a result, Jordan’s rentierism is a strong determinant in its domestic and foreign policies.

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<sup>3</sup> Watson, *Securitization of Humanitarian*, 31-33.

<sup>4</sup> Peters, A. M. and P. W. Moore (2009). "Beyond Boom and Bust: External Rents, Durable Authoritarianism, and Institutional Adaptation in the Hashemite Kingdom of Jordan." *Studies in Comparative International Development* 44(3), 256.

Jordan especially depends on its funding from the U.S. As Curtis Ryan writes, “Maintaining and deepening its relationship with the United States remains a top foreign policy goal.”<sup>5</sup> Moreover, it is commonly understood that Jordan carries out American interests to in many policy areas. As one commentator noted, King Abdullah II of Jordan’s first priority is to “keep the Americans happy.”<sup>6</sup> By examining how Jordan became an unintentional, secondary audience of the U.S.’ securitizing move, I contend that U.S. securitization of Syrian refugees, proven through congressional hearings, contributed to the declining influence of protection norms in Jordan.

Authors on securitization studies such as Wendt or Coen often argue the role of the state or governing elites in constructing a national security threat. Wendt argued that states construct security threats, while Coen suggests that “elites speaking from positions of political authority” take part in securitization.<sup>7</sup> Watson argues that elites in political groups opposed to the government can challenge the government’s “legitimacy based on its failure to respond to a security threat.”<sup>8</sup> In this case, the legislative branch securitized Syrian refugees in what they construed as a failure by the executive branch (the Obama administration) to adequately mitigate the security threat posed by Syrian refugees.

Watson argues for moving “focus beyond discursive practices to wider social contexts that influence the success of securitizing claims;” by “social context,” he

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<sup>5</sup>Ryan, C. (2014). "Jordanian Foreign Policy and the Arab Spring." *Middle East Policy Council* **XXI**(1).

<sup>6</sup>Atalla, M. (2012) Examining the U.S.-Jordan Relationship.

<sup>7</sup>Coen, A. (2017). "Securitization, Normalization, and Representations of Islam in Senate Discourse." *Politics and Religion* **10**(1): 113.

<sup>8</sup>Watson, *Securitization of Humanitarian*, 22.

means “the general social knowledge that exists outside of or prior to the securitizing claim.”<sup>9</sup> I argue that context matters in concluding the impacts of state securitization, in particular the U.S.-Jordan relationship. I note Jordanian government statements justifying refugee policies in Jordan to demonstrate how Jordan’s incentives for complying with refugee protection norms has declined.

### *Establishing the “normal” in U.S. refugee policies*

As Watson notes, there are two realms of “normal” politics with regard to states’ responses to refugee crises; establishing “normal” refugee policies is like “addressing the normal response to fire.”<sup>10</sup> Though refugee crises are inherently not “normal,” Watson argues that

The occurrence or fear of such a fire represents an emergency situation; yet, response to a fire is predictable and orderly - in essence it is normalized... In this normalized condition, there are norms and procedures that govern the reaction to fire by a variety of agencies... Under certain circumstances, even these norms may be violated.<sup>11</sup>

The U.S. has established norms concerning its responses to global refugee crises, and due to the securitization of Syrians by U.S. lawmakers, the issue of Syrian refugees has moved outside the realm of normal politics into emergency politics.

As in Watson’s discussion of a “normal” response by states to refugees, there are norms and procedures that govern the U.S. response to refugee crises. The Refugee Act of 1980 established a category for refugee admissions into the U.S. as a subset of all immigrants admitted and adopted the U.N. definition of a refugee;

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<sup>9</sup> Watson, *Securitization of Humanitarian*, 11.

<sup>10</sup> *Ibid.*, 33.

<sup>11</sup> *Ibid.*, 33.

simultaneously, it established an office within the U.S. government to oversee the resettlement of refugees.<sup>12</sup> Since 1975, the U.S. Refugee Admissions Program (USRAP), the U.S. interagency program that resettles refugees, has admitted over three million refugees.<sup>13</sup> The USRAP works with a number of partners including UNHCR and the International Organization for Migration (IOM) to receive referrals and conduct case processing. UNHCR, and occasionally other designated INGOs, refer vulnerable refugees to the U.S. for consideration.

Resettlement represents a major component of the U.S. government's normal response to refugee crises. Refugees are historically admitted to the U.S. based upon their vulnerability. The UNHCR made a global appeal for states to accept a total of 130,000 refugees in 2014-2016 and submitted 64,502 referrals to the U.S. as of February 2016.<sup>14</sup> Normal U.S. policies toward Syrian refugees would dictate that the U.S. accept a significant proportion of UNHCR referrals of highly vulnerable Syrians.

The U.S.' normal policies toward refugees also incorporate a number of security screenings. Due to security checks, processing time takes 18-24 months on average. All refugees undergo security screenings conducted by the FBI, Department of Homeland Security, Department of State, National Counterterrorism Center and multiple other agencies, as well as in-depth in-person interviews conducted by DHS officers and medical screenings. Refugees are the most vetted individuals who enter the U.S. Moreover, the USRAP, within its normal politics, operates with procedures and norms in place that account for security concerns.

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<sup>12</sup> -- (2016). "History of Refugee Resettlement in America." *Congressional Digest* 95(1): 2-3.

<sup>13</sup> --. "Refugee Admissions." 2017, from <https://www.state.gov/j/prm/ra/index.htm>.

<sup>14</sup> UNHCR (2017, February 28 2017). "Resettlement and Other Admission Pathways for Syrian Refugees." 2017, from <http://www.unhcr.org/573dc82d4.pdf>.

Within the normal politics of U.S. refugee admissions, a number of Syrian refugees determined in accordance with UNHCR referrals would be resettled in the U.S. each year and screened using USRAP security procedures. Yet the securitization of Syrian refugees that I detail in this chapter has justified moving Syrians outside of this realm of normal policies. The fact that the legislature justified requiring additional screenings for Syrian refugees, American public sentiments shifted to perceive Syrian refugees as a threat, and the executive branch ultimately excluded Syrian refugees from resettlement programs displays a securitizing move.

### *Humanitarian Need, Burden, or Security Threat*

Watson demonstrates that “humanitarian migrants have been constructed both as threatened by the state and alternatively as a threat to the state,”<sup>15</sup> categories which also apply to U.S. lawmakers’ rhetoric concerning Syrian refugees. “Humanitarian” discourse depicts refugees as “helpless, passive victims”<sup>16</sup> while securitized discourse focuses on terrorism and the existential threat that refugees pose to public safety.<sup>17</sup> Building on this framework, I coded 60 hearings held in the U.S. Congress between 2011-2016 with mentions of Syrian refugees to establish how discourse surrounding Syrian refugees has shifted the issue from normal to emergency politics.

To evaluate U.S. securitization of Syrian refugees, I examined mentions of Syrian refugees within congressional hearings held between 2011-2016 and categorized them based on how Syrian refugees were framed or discussed. As a

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<sup>15</sup> Watson, *Securitization of Humanitarian*, 8.

<sup>16</sup> *Ibid.*, 57.

<sup>17</sup> *Ibid.*, 66.

criteria, I analyzed only published hearings that mentioned both Syrian refugees and resettlement (given that the policy debate relevant to my analysis focused on admission of Syrian refugees). For each mention of the phrase “Syrian refugees,” I recorded the nature of the comment in terms of the key concerns mentioned.

Based on empirical evidence, and because of my broader focus on Jordan’s relationship with the U.S., I add a third category in my analysis distinct from Watson’s two categories: constructing refugees as a burden to external states. In other words, I distinguish between constructing refugees as a threat to the securitizing state (the U.S.) and a strain on the resources of foreign states (Jordan or other Middle Eastern refugee-hosting countries). Comments largely fell into three categories: humanitarian- or protection-focused, focused on stability and security in host countries in the Middle East, and focused on threats to U.S. security posed by Syrian refugees.

I define humanitarian- or protection-focused comments as statements in which Syrian refugees are mentioned in terms of their access to protection, assistance, food, shelter, asylum, or resettlement, as well as other concerns for their livelihoods or overall well-being. This category also includes comments which refer to funding going toward these services and international commitments made in order to address these needs. Many congressional hearings focused upon budget appropriations for foreign assistance going toward Syrian refugees, human rights violations in Syria driving displacement, and other protection and humanitarian concerns.

The second category contains mentions of Syrian refugees in terms of their impacts on the Middle East. These comments mention the burdens or hardships that

countries in the Middle East face because of hosting Syrian refugees, including references to water resources, health services, other government services, the cost to the host country of hosting or providing services to Syrians, exacerbated tensions within host communities, the high percent of the country's population that Syrians now comprise, and other references to challenges. A considerable number of these hearings mentioned Jordan's security and stability, given its status as a key U.S. ally.

The third category includes comments mentioning ways in which Syrian refugees pose a security threat or risk to the U.S., and heightened screenings, checks, or other procedures described as necessary to ensure Syrian refugees do not pose a risk to the U.S. The vast majority of these comments referenced security concerns in resettling Syrian refugees in the U.S. The debate surrounding Syrian refugee resettlement became sharper and more public following the Obama administration's decision to resettle 10,000 Syrians in 2016, which was contested in the legislative branch. Yet a securitizing move requiring that Syrian refugees move outside the realm of "normal" U.S. refugee policies began to emerge even before this decision. The legislative branch aimed to make it look as if the executive branch was failing to respond to a pressing security threat.

Within comments mentioning ways in which Syrian refugees pose a security threat to the U.S., two types of reasoning about Syrian refugees emerged. Some policymakers expressed that refugees could be "backdoor jihadists" or ISIL members, and should not be brought to the U.S. at all because no one can ensure that Syrian refugees are not terrorists. This rationale displays a view that Syrians pose an existential threat, and was expressed by many legislators. In addition, some



policymakers expressed that Syrians should be screened more heavily than other nationalities of refugees (because they pose more of a security threat than other nationalities of refugees) but that it is still possible to screen them and be fairly certain that some of them do not belong to ISIL or other militant groups. This reasoning was present among many Obama administration officials and reflects a securitized, but inclusionary approach to Syrian refugees.

Finally, some references to Syrian refugees did not fall into one of these categories, primarily because they only relayed a fact or statistic about the crisis. For example, many legislators would begin a debate on the subject by referencing the total number of Syrian refugees. I did not code these types of comments mentioning Syrian refugees because they do not reveal the speaker's emphasis as humanitarian or security-focused.

To retrieve hearings that mention both Syrian refugees and resettlement, I reviewed both records from the Government Publishing Office and from the ProQuest Congressional database in order to avoid gaps in my research. Of course, one could potentially critique my methodology in a few areas. For one, I chose to review only mentions of the phrase "Syrian refugees" and not "Syrians," "the Syrian people," "people who have fled Syria," etc. I chose to narrow my analysis to only mentions of "Syrian refugees" because securitizing Syrians more broadly would constitute a different political process; reviewing mentions of Syrian refugees specifically allowed me to pinpoint how the normal U.S. policy response to refugee crises changed. A "refugee" is defined as an individual needing protection, and by definition

excludes militants and perpetrators of human rights abuses, making the rhetorical construction of refugees as militant terrorists an inherent contradiction.

In addition, other sources of evidence such as media coverage or discussion of Syrian refugees in the 2016 elections may also reveal securitization of Syrian refugees by political elites in the U.S. I chose to evaluate congressional hearings because they represent a contained sample of discourse by political elites, debating and engaging with the issue of Syrian refugees over the course of the Syrian conflict. Generally, I argue that legislators from the opposition party at the time (the Republican party) securitized Syrian refugees in order to challenge the executive's legitimacy, construing it as failing to respond to a security threat. Other factors such as the securitization of Islam<sup>18</sup> and strong emphasis on ISIL during this period also played a role. Hearings reflect not only the voices of a few legislators, but also draw administration officials, diplomats and NGOs to testify about the issue, and therefore reflect both securitizing actors and opposition to the securitizing move.

*“We don't know who they are:” U.S. securitization of Syrian refugees*

In this section, I evaluate Congressional hearings referencing Syrian refugees, using the criteria outlined above. These hearings display a marked shift in how U.S. governing elites have approached Syrian refugees. Notably, while these hearings show securitization primarily driven by legislators, they also display a wide variety of opinions across the political spectrum. Nevertheless, throughout these hearings, key actors opposing securitization also come to concede that admitting Syrian refugees

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<sup>18</sup> Coen, “Securitization and Normalization,” 1.

requires more extensive screening than admitting other refugees, showing that even those contesting securitization accepted the securitizing move to bring Syrian refugees outside the realm of normal U.S. refugee policies.

*Figure 1: Mentions of Syrian refugees in 2011-2016*

Year	Total Hearings	Total mentions coded	Humanitarian focused (%)	Burden on MENA focused (%)	Security threat to U.S.
2011	1	5	100%	0%	0%
2012	2	3	100%	0%	0%
2013	10	98	47%	52%	1%
2014	13	96	55%	44%	1%
2015	27	245	54%	15%	31%
2016	6	89	44%	9%	47%

When the Syrian conflict began in 2011-2012, Syrians were mentioned in terms of their humanitarian needs, with legislators from both parties expressing concern with the plight of the Syrian people in the emerging civil war. In a 2011 hearing, Ambassador to Syria Robert Ford noted that “We stand ready to provide assistance to nations hosting Syrian refugees, as required.”<sup>19</sup> In one early mention of Syrian refugees in a 2012 hearing, Senator Bob Casey (D-PA) stated that,

I want to discuss Syrian refugees. I think there are so many of us that, even as we introduce, as I have, legislation to try to move forward in terms of humanitarian and other assistance to the Syrian people, we have a real concern about refugees ... But I would ask you if you can, in a broad way, assess the Iraqi refugee policies that relate to Syrian refugees... And also what kind of support they have, what they can expect when they get there, and what kind of challenges there are.<sup>20</sup>

<sup>19</sup> U.S. Congress. Senate, Committee on Foreign Relations: *Nominations of the 112<sup>th</sup> Congress—First Session*, 112th Cong., 1st sess., 2011, 600.

<sup>20</sup> U.S. Congress. Senate, Committee on Foreign Relations: *Nominations of the 112<sup>th</sup> Congress—Second Session*, 112th Cong., 2nd sess., 2012, 627.

Of the hearings conducted in 2011 and 2012, all mentions of Syrian refugees that I was able to classify focused upon humanitarian and protection concerns.<sup>21</sup>

In contrast to the humanitarian-focused portrayal of Syrian refugees in 2011-2012 congressional hearings, one 2012 hearing, entitled *Terrorist Exploitation of Refugee Programs*, focused upon potential gaps in USRAP security screenings for Iraqi refugees that legislators argued could allow terrorists to enter the country. The Subcommittee on Counterterrorism and Intelligence held the hearing after, as Representative Pat Meehan (R-PA) described, “in May 2011 two Iraqi nationals who were given refugee status and resettled in the United States were arrested and accused by the FBI of plotting to send weapons and money to al-Qaeda in Iraq.”<sup>22</sup> According to Representative Meehan, the hearing aimed to “identify any remaining gaps in the security screening process that need to be remedied” and to “highlight these issues to ensure that the security gaps are closed to prevent terrorists from infiltrating our refugee programs.”<sup>23</sup>

Interestingly, though this hearing discusses the potential for Iraqi refugees to pose a security threat, Syrian refugees were not construed as potential terrorists. Instead, legislators only brought up Syrian refugees in questioning how the U.S. could identify which Syrians most needed refuge, to which Department of State Refugee Admissions Director Lawrence Bartlett responded that “we are not looking at resettling large numbers of Syrian refugees at this moment, but, again, we are

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<sup>21</sup> Some mentions were not coded because they only reflected a fact and not the speaker’s narrative about Syrian refugees.

<sup>22</sup> U.S. Congress, House of Representatives, Committee on Homeland Security: *Terrorist Exploitation of Refugee Programs*, 112th Cong., 2nd sess., 2015, 1.

<sup>23</sup> *Ibid.*, 2.

looking out to see if there are individuals who, for example, may have protection concerns in Turkey or Lebanon and cannot stay there safely.”<sup>24</sup> Clearly, at this point, legislators had not yet come to construe Syrian refugees as an existential threat, though resettlement of Syrians was acknowledged as a future policy measure. At this point, ISIL had also not emerged as a threat or actor, and the discourse surrounding Syrian refugees reflected established U.S. norms for a response to refugees.

In 2013, the narrative about Syrian refugees shifted to focus both upon humanitarian or protection concerns and upon the potential for Syrian refugees to negatively impact or destabilize the Middle East. All mentions of Syrian refugees in hearings in 2013 with more than one comment about Syrian refugees referenced both humanitarian or protection issues and the effects of hosting Syrian refugees for countries and communities in the MENA region. For instance, in a hearing passing House Resolution 222 “recognizing the long-term partnership and friendship between the United States and the Hashemite Kingdom of Jordan,” Representative Ed Royce (R-CA) of the House Committee on Foreign Affairs commended Jordan’s acceptance of Syrian refugees, noting that “Today, Jordan has worked to address the needs of 550,000 Syrian refugees which have poured across its borders in the last 2 years. This has resulted, by the way, in a 10-percent population increase for Jordan. This is seriously straining Jordan.”<sup>25</sup>

Secretary of State John Kerry also affirmed the administration’s assistance and support targeting host communities affected by Syrian refugees, stating that

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<sup>24</sup> U.S. Congress, *Terrorist Exploitation of Refugee Programs*, 20.

<sup>25</sup> U.S. Congress, House of Representatives, Committee on Foreign Affairs: *Markup*, 113th Cong., 1st sess., 2013, 47.

We are looking at ways to boost support for host countries beyond emergency humanitarian assistance, so that host communities can continue to support refugees fleeing violence in Syria. The international community needs to increase support to host countries' core community infrastructure, including health, education, energy, and water to minimize the burden of hosting up to 4 million Syrian refugees in the region by the end of the year.<sup>26</sup>

Comments in 2013-2014 reflected this concern, among both Democrats and Republicans, for Jordan and other countries in the region, noting the effects of hosting Syrian refugees, discussing how to uphold stability in the region, and commending Jordan's foreign policy partnership.

A legislator first mentioned their concerns about potentially resettling Syrian refugees in the United States in 2013, with Representative Michael Burgess (R-TX) noting that "I had an opportunity to read an article in the L.A. Times about perhaps resettlement plans to the United States for Syrian refugees. And I got to tell you that got my attention; that certainly aroused a significant amount of concern."<sup>27</sup> In response, Assistant Secretary of State for Population, Refugees, and Migration Anne Richard confirmed that the administration planned to resettle some Syrians as part of its admissions ceiling of 70,000 for that fiscal year. Yet Senator Burgess did not cite security concerns, only stating that he felt the Obama administration's policy toward Syria had been inconsistent and that he felt the State Department had inadequately coordinated with local policymakers in his district when resettling prior populations of refugees.<sup>28</sup>

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<sup>26</sup> U.S. Congress, Senate, Committee on Foreign Relations: *National Security and Foreign Policy Priorities in the Fiscal Year 2014 International Affairs Budget*, 113th Cong., 2nd sess., 2014, 104.

<sup>27</sup> U.S. Congress, House of Representatives, Commission on Security and Cooperation in Europe: *Fleeing To Live: Syrian Refugees in the OSCE Region*, 113th Cong., 1st sess., 2013, 10.

<sup>28</sup> U.S. Congress, *Fleeing to Live*, 10-11.

In 2013, resettlement of Syrians was discussed and acknowledged, but without any mention that Syrians could pose an existential threat to the U.S. Though the U.S. was only resettling a small number of Syrians at this point, policymakers remained aware that normal U.S. policies concerning responses to refugee crises involved resettlement, and that in accordance with these norms, Syrians would likely eventually be resettled in higher numbers.

In 2014, legislators continued to discuss Syrian refugees in terms of their humanitarian situation and the burden or destabilizing effects of refugees on the Middle East. Even in one hearing entitled *Asylum Fraud: Abusing America's Compassion*, Syrian refugees were only mentioned in reference to their potentially destabilizing burden on the Middle East. In one 2014 appropriations hearing, a legislator mentioned that the U.S. held a national security interest in Lebanon's stability, construing Syrian refugees as an issue of security due to human insecurity of refugees and the effect of hosting refugees in the region: "The destabilization of that is very significant. So we have a national security interest in that. The devastation on families, children, children not in school, the future problems for us in terms of potential terrorism, spread of terrorism, are very, very real. It is in our national security interests to try to change that."<sup>29</sup> The U.S. government faced greater pressures to resettle Syrian refugees as a way to increase credibility with foreign allies, with Senator Robert Menendez (D-NJ) arguing that "The U.S. must accept

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<sup>29</sup> U.S. Congress, Senate, Subcommittee on State, Foreign Operations, and Related Programs Appropriations, Committee on Appropriations: *State, Foreign Operations, and Related Programs Appropriations for Fiscal Year 2015*, 113th Cong., 2nd sess., 2014.

significantly more, especially if we are to credibly ask other countries to accept more Syrian refugees as well.”<sup>30</sup>

U.S. lawmakers discussing Syrian refugees in 2014 remained acutely aware that Jordan and other small, relatively under-resourced states in the Middle East hosted the vast majority of the world’s refugees, and often referenced the importance of U.S.-Jordan relations and Jordan’s domestic stability. Senator Menendez noted Jordan’s importance, asking Secretary Kerry,

Jordan is a reliable partner and a stabilizing presence in a difficult region. It is one of only two Arab countries to have signed a peace treaty with Israel and establish full diplomatic relations. At the same time, Jordan faces serious economic strains made worse by an ongoing wave of Syrian refugees... What impact is the flood of Syrian refugees having on Jordan’s political and economic stability? How is U.S. assistance specifically supporting Jordan in hosting such a high level of refugees?<sup>31</sup>

Similarly, Senator Tim Kaine (D-VA) discussed a trip to Jordan in a 2014 hearing, stating:

I see the number of Syrian refugees in Jordan, one of the poorest countries in the world, in terms of the amount of water, and they are have having to deal with a number of refugees driven there by violence, when they have few natural resources of their own, and I saw those countries dealing with this massive influx of refugees—one-quarter of the population—and I found myself asking myself, a year ago, “Gosh, I wonder how the United States would deal with refugees who came to the United States... I wonder if we would deal with them in the same way.”<sup>32</sup>

At this point, U.S. policymakers remained acutely aware that Syrian refugees most impacted countries in the Middle East and especially Jordan, one of the U.S.’ key

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<sup>30</sup> U.S. Congress, Senate, Committee on Foreign Relations: *Syria after Geneva: Next Steps for U.S. Policy*, 113th Cong., 2nd sess., 2014, 66.

<sup>31</sup> U.S. Congress, Senate, Committee on Foreign Relations: *National Security and Foreign Policy Priorities in the Fiscal Year 2015 International Affairs Budget*, 113th Cong., 2nd sess., 2014, 67.

<sup>32</sup> U.S. Congress, Senate, Committee on Foreign Relations: *Dangerous Passage: Central America in Crisis and the Exodus of Unaccompanied Minors*, 113th Cong., 2nd sess., 2014.



allies. These senators did not highlight the potential for Syrian refugees to threaten the U.S., instead arguing that resettlement and assistance form parts of a sound foreign policy which promotes security in the Middle East and serves U.S. interests.

The narratives about Syrian refugees in congressional hearings began to change in early 2015, shifting toward a narrative that Syrian refugees pose an existential security threat to the U.S. At this point, ISIL had emerged as a threat and became the focus of many U.S. foreign policy discussions. Perceptions that Syrian refugees played a role in attacks in Paris in 2015 also contextualize this rhetorical shift among members of Congress.

Legislators argued that insufficient intelligence and security screenings existed to admit Syrians into the U.S. Underlying this claim was a consistent narrative, perpetuated by legislators and accepted by officials, that Syrian refugees inherently posed a greater threat to U.S. security than other nationalities of refugees or immigrants entering the U.S. via other pathways and that despite the existence of multiple inter-agency security checks to screen refugees, only extreme screening, if any, would suffice to allow Syrian refugees into the United States. As demonstrated by Figure 1, statements shifted to focus more upon refugees as a security threat to the U.S., superseding the discussion of the impacts of the Syrian refugee crisis on the MENA region. As a result of this narrative, Syrian refugees moved outside the realm of “normal” U.S. refugee policies into emergency measures.

The first hearing that promulgated a narrative that Syrians pose inherently unscreenable security risks occurred on February 15<sup>th</sup>, 2015, entitled *Countering Violent Islamist Extremism: The Urgent Threat of Foreign Fighters and Home-*

*Grown Terror*. In this hearing, every mention of Syrian refugees was in context of Syrian refugees' threat to the U.S. and many argued that they should be excluded from entering the country. Representative Michael McCaul (R-TX) brought up his fear of Syrian refugees as an existential threat, saying,

I recently sent a letter to the White House expressing my concerns over the Department's desire to resettle tens of thousands of Syrian refugees here in the United States. I am worried that ISIS could exploit this effort in order to deploy operatives to America via a Federally-funded jihadi pipeline.<sup>33</sup>

Notably, Representative McCaul brought up this narrative in his opening statement, prior to hearing testimonies from Department of Homeland Security, National Counterterrorism Center, and Federal Bureau of Investigations officials on the subject of screening Syrian refugees and U.S. security.

In this hearing, Representative McCaul posed several questions to the witnesses from the intelligence community concerning whether Syrian refugees should be admitted into the U.S. Representatives from DHS and the National Counterterrorism Center emphasized the thoroughness of vetting in the USRAP. After multiple questions about the screening procedure, however, Michael Steinbach (Assistant Director of the Counterterrorism Division of the FBI) stated,

You have to have information to vet, so the concern in Syria is that we don't have systems in places on the ground to collect the information to vet. That would be the concern is we would be vetting—databases don't hold the information on those individuals, and that is the concern.<sup>34</sup>

This statement served to justify Representative McCaul's notion that he expressed at the opening of the hearing that Syrians pose a national security risk. This argument

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<sup>33</sup> U.S. Congress, House of Representatives, Committee on Homeland Security: *Countering Violent Extremism: The Urgent Threat of Foreign Fighters and Home-Grown Terror*, 114th Cong., 1st sess., 2014, 3.

<sup>34</sup> U.S. Congress, *Countering Violent Extremism*, 28.

(that U.S. intelligence about Syria did not suffice to vet individuals in the refugee admissions program) formed the foundation for the securitization of Syrian refugees in subsequent congressional hearings. Department of State and Department of Homeland Security responded to this remark by noting that if the U.S. did not have adequate information on certain refugees, they would not be admitted into the country.

Many legislators, arguing that jihad posed an existential threat to the U.S., pointed to this quote to justify their concerns about Syrian refugees. A few distinct narratives emerged: that Syrian refugee resettlement is a “jihadi pipeline,” that resettled Syrian refugees are predominantly adult males (and therefore more prone to radicalization), and that all Syrian refugees cannot be screened or vetted. For instance, Senator Thom Tillis (R-NC) stated in a congressional hearing on Iraq that “those 85,000 that we’re talking about bringing in this country haven’t been vetted. We don’t know who they are.”<sup>35</sup> Similarly, Representative McCaul said in a 2015 hearing that “We can’t properly vet these individuals through databases. We don’t know who they are.”<sup>36</sup>

Legislators made the assertion that “we don’t know who they are” frequently, despite testimonies from the Department of State and the Department of Homeland Security affirming the rigor of screening procedures in place. For instance, Secretary of Homeland Security Jeh Johnson responded to one question by stating, “The security vetting for refugees is the most robust screening process for any category of

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<sup>35</sup> U.S. Congress, Senate, Committee on Armed Services: *Iranian Influence in Iraq and the Case of Camp Liberty*, 114th Cong., 1st sess., 2014, 28.

<sup>36</sup> U.S. Congress, House of Representatives, Committee on Homeland Security: *Worldwide Threats and Homeland Security Challenges*, 114th Cong., 1st sess., 2015.

individuals seeking admission into the United States. The process is multi-layered and intensive, involving multiple law enforcement, national security, and intelligence agencies across the Federal Government. Additional enhancements have been added with regard to Syrian refugees. DHS and the Department of State continually evaluate whether more enhancements are necessary and coordinate with the intelligence and law enforcement communities.”<sup>37</sup> Moreover, the fact that legislators reiterated the notion that “we don’t know who they are” and that Syrian refugees entering the U.S. had not been vetted, despite evidence and counsel from intelligence and security officials not to overstate the threat posed by refugees, demonstrates that a securitizing move was taking place.

Legislators also used language associating Syrian refugees with terrorism, jihad, ISIL, and extremism to paint Syrian refugees as an existential threat. As recounted above, Representative Barletta used references to ISIL and “American blood” to paint Syrian refugees as an existential threat, stating “The Islamic State has promised to attack us. They said American blood is the best blood, and that they will taste it soon. I believe them...how can we be assured and assure the American people that there won’t be ISIS fighters hidden among the refugees coming into this country?”<sup>38</sup> Representatives McCaul, Peter King (R-NY), and Candace Miller (R-MI) authored a statement that associated refugees with jihad, writing that “we cannot allow the refugee process to become a backdoor for jihadists.”<sup>39</sup> This use of language contrasts earlier hearings about security in the Iraqi refugee resettlement program, in

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<sup>37</sup> U.S. Congress, *Worldwide Threats*.

<sup>38</sup> U.S. Congress, House of Representatives, Committee on Homeland Security and Committee on Foreign Affairs: *The Rise of Radicalism: Growing Terrorist Sanctuaries and the Threat to the Homeland*, 114th Cong., 1st sess., 2015, 73.

<sup>39</sup> *Ibid.*, 60.

which after an incident took place, legislators responded to it. Instead, legislators in this example argued that Syrians inherently pose an existential threat.

Similarly, Representative McCaul argued that Syrian refugees pose a threat because any refugee could radicalize after entering the U.S., stating “I think this would be a huge mistake if we bring in these refugees into the United States that could potentially be radicalized... This would be a Federally sanctioned welcome party, if you will, to potential terrorists in the United States.”<sup>40</sup> Representative McCaul’s quote displays securitization in that he argued that regardless of measures to secure the refugee admissions program, any Syrian could potentially “radicalize” and thereby Syrians pose an existential threat despite any level of screening.<sup>41</sup>

Finally, legislators often cited the notion that most Syrian refugees in the U.S. are single adult males and therefore at greater risk of radicalization, despite frequent assurances from federal agencies that most refugees admitted were families, women, and children. For instance, in a hearing about U.S. homeland security, Representative Barry Loudermilk (R-GA) said that “I have read reports that of the Syrian refugees, 72 percent of them are young males.”<sup>42</sup> In one hearing entitled *Crisis of Confidence: Preventing Terrorist Infiltration through U.S. Refugee and Visa Programs*, Representative Lamar Smith (R-TX) stated that, “The U.N. High

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<sup>40</sup> U.S. Congress, House of Representatives, Committee on Homeland Security: *Countering Violent Islamist Extremism: The Urgent Threat of Foreign Fighters and Home-Grown Terror*, 114th Cong., 1st sess., 2015.

<sup>41</sup> Notably, considerable analysis has been devoted to studying radicalization and has shown that no specific nationality poses a greater risk of radicalizing than others, making this position a clear example of a securitizing move. A 2017 Department of Homeland Security memo argued that country of citizenship is an “unreliable indicator” of the potential for terrorist threat to the U.S.

Nixon, R. (2017). People From 7 Travel-Ban Nations Pose No Increased Terror Risk, Report Says. *New York Times*. New York.

<sup>42</sup> U.S. Congress, *Worldwide Threats and Homeland Security Challenges*.

Commissioner for Refugees says 62 percent are male. What percentage are males and what percentage are males of military age?”<sup>43</sup> In response, the State Department cited that “Military-aged males unattached to families comprise only an approximate 2% of Syrian refugee admissions to the United States to date.”<sup>44</sup> In addition, normal U.S. refugee policy prioritizes the most vulnerable individuals including women, children, people with disabilities, and LGBT refugees, making the notion that Syrians entering the U.S. are mostly male not only untrue but outside the realm of U.S. normal policies toward refugees. Still, legislators perpetuated the narrative that most or all Syrian refugees in the U.S. were adult males, which, they argued, made the refugees more likely to commit acts of terror.

Legislators legitimized the narrative that Syrian refugees cannot be vetted, and their securitizing move was widely accepted by segments of the target audience (the U.S. voting population). With a heightened political climate after attacks in San Bernadino, California and Orlando, Florida (neither committed by Syrians or refugees), combined with frequent rhetoric claiming the association between Syrian refugees and terrorism, Americans came to accept the securitizing move initiated in the legislative branch.

Fear specifically of Syrian refugees became widespread in numerous media narratives and in the debates surrounding the 2016 U.S. presidential campaign. In February 2016, Bill Galston of the Brookings Institute found that public sentiment

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<sup>43</sup> U.S. Congress, House of Representatives, Committee on Homeland Security: *Crisis of Confidence: Preventing Terrorist Infiltration through U.S. Refugee and Visa Programs*, 114th Cong., 2nd sess., 2016, 31.

<sup>44</sup> *Ibid.*, 84.

had broadly transitioned from “humanitarian sympathy to national security anxiety.”<sup>45</sup> A September 2015 poll by the Pew Research Center found that a majority of Americans approved of President Obama’s decision to admit more refugees in Fiscal Year 2016.<sup>46</sup> Yet a November 2015 poll by Bloomberg showed that a majority of Americans (53 percent) opposed admitting refugees into the U.S.<sup>47</sup> This poll also showed a split along partisan lines, with 80% of Republicans and 45% of Democrats opposing the resettlement of Syrian or Muslim refugees in the U.S.<sup>48</sup> Of course, other actors including presidential candidates and some media outlets also played a role in amplifying the narrative that Syrian refugees pose a security threat to the U.S.; yet many of the narratives promulgated in political debates and the media originated with legislators.

Interestingly, legislators then also pointed to growing anti-refugee sentiments in their districts to reaffirm their fears about Syrians posing an existential threat. For instance, Representative Dave Trott (R-MI) stated in a September 2016 hearing that, “Last weekend, I am at a grocery store and a Starbucks, and two different constituents walked up to me and said, ‘Can’t you stop the President’s resettlement of Syrian refugees into Troy, Michigan? We are all afraid.’”<sup>49</sup> Here, having completed a

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<sup>45</sup> McElvein, E. (2016). "What do Americans really think about Syrian refugees?" Foreign Policy in the U.S. Presidential Debates. 2017, from <https://www.brookings.edu/blog/markaz/2016/03/04/what-do-americans-really-think-about-syrian-refugees/>.

<sup>46</sup> Pew Research Center. (2015). Mixed Views of Initial U.S. Response to Europe’s Migrant Crisis, Pew Research Center.

<sup>47</sup> Bloomberg Politics. (2015). Bloomberg Politics National Poll, Bloomberg Politics.

<sup>48</sup> Ibid.

<sup>49</sup> U.S. Congress, House of Representatives, Committee on the Judiciary: *Oversight of the Federal Bureau of Investigation*, 114th Cong., 2nd sess., 115.

securitizing move, legislators also pointed to the widespread fear of Syrian refugees to reaffirm that Syrians posed a security threat to the U.S.

In response to the securitizing move primarily by the political opposition (in this case, Republican legislators painting the Democrat executive branch as failing to respond to an existential threat to national security), executive officials responded by assuring that Syrians would be subject to even more extreme vetting than any other group. In doing so, the executive branch accepted and further legitimized the securitizing move by legislators in Congress. For example, Secretary Kerry responded to legislators' questions about the screening process for Syrian refugees by stating, "Well, the plan is to engage in what we would call super-vetting, I mean, an extraordinary level of vetting" specifically for Syrians.<sup>50</sup> USCIS also outlined that Syrian refugees underwent additional security screening procedures only required of Syrians, noting that "Refugees from Syria who are referred to the United States for resettlement receive additional screening known as Syria Enhanced Review."<sup>51</sup>

By implementing policies that require additional security screenings for Syrians and agreeing that Syrian refugee admissions require "super-vetting," the executive branch likely aimed to respond to Congress' concerns. However, this response shows that the executive branch accepted the securitizing move by the legislature. These enhanced review procedures specifically for Syrians marked the first stage of moving Syrian refugees outside of normal U.S. refugee policies into emergency measures.

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<sup>50</sup> U.S. Congress, House of Representatives, Committee on Foreign Affairs: *Advancing U.S. Interests in a Troubled World: The FY 2016 Foreign Affairs Budget*, 114th Cong., 1st sess., 43.

<sup>51</sup> U.S. Congress, *Crisis of Confidence*, 59.



Securitized policies justified in the legislative branch transformed into executive branch policy when the then-opposition party in the legislature, the Republicans, won the 2016 election and came into executive power. In January 2017, the executive branch completed the move of Syrian refugees outside the realm of normal politics into emergency measures when President Donald Trump signed an executive order specifically banning Syrian refugees from entering the U.S. indefinitely. Building on campaign rhetoric which accepted, legitimized, and perpetuated Congress' securitizing move, the Executive Order read,

I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.<sup>52</sup>

Though this policy marked a departure from normal U.S. policies toward refugees, I argue that it marked the completion of the U.S. government's securitization of Syrian refugees with the Republican Party transitioning from political opposition to governing the executive branch.<sup>53</sup>

Nevertheless, congressional hearings did show that NGO representatives, some legislators, and government officials tried to counter the securitization of Syrians. NGOs, for instance, submitted statements to several major hearings about Syrian refugees which highlighted a humanitarian narrative and argued that the U.S. should address the Syrian refugee crisis within normal, not securitized, policies toward refugees. NGOs frequently highlighted the narrative that Syrians need further

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<sup>52</sup> -- (2017). Full Executive Order Text: Trump's Action Limiting Refugees Into the U.S. New York Times. New York.

<sup>53</sup> It is worth noting that whether this Executive Order, marking the completion of the securitizing move detailed above, becomes U.S. policy depends on the outcome of several pending court cases and actions by the judicial branch.

aid, brought up particular stories about Syrians, and countered misinformation presented in hearings.

Though I focused my analysis on the political opposition's successful securitization of Syrian refugees, analyzing statements by NGOs and the judiciary concerning Syrian refugees would show a different narrative. In early 2017, for instance, the Ninth Circuit judiciary questioned the validity of the Trump Administration's assertion that Syrian refugees pose a security threat and implied they thought the notion was perhaps politically constructed.<sup>54</sup>

Nevertheless, U.S. legislators' securitization is important because it concluded in a policy shift departing from established norms for U.S. policies toward refugees; the securitizing move was completed. U.S. refugee policies and rhetoric toward refugees also influenced state rhetoric and policies in Jordan, as I discuss in the next section of this chapter.

### **The Security “Double Standard:” Why U.S. rhetoric matters in Jordan**

The U.S., a powerful actor in Jordan, has legitimized discourse that imputes the definition of “security threat” onto all refugees of a particular category. Prior to this securitizing move, the Jordanian government reiterated its commitment to the open-door policy, closing its border only as an exception to this policy. Since a narrative of Syrian refugees as a security threat has emerged and become widespread, the Jordanian government has closed its borders to refugees using the justification of

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<sup>54</sup> U.S. Court of Appeals for the Ninth Circuit (2017). Motion for Stay of an Order of the United States District Court for the Western District of Washington.

national security concerns about Syrians' links to ISIL. Because of the importance of the U.S.-Jordan relationship, U.S. goals play a significant role in formulating Jordanian policy interests. With the U.S. signaling a shift in policies toward Syrian refugees, Jordan has also adopted national security-oriented policies and scripts, with officials noting that international actors in Jordan have created a security "double standard." U.S. policymakers' statements and rhetoric justifying restricting Syrian resettlement lends legitimacy to the Jordanian government in its policy decisions to restrict Syrians; U.S. securitization enables Jordan to use this national security-focused rhetoric as well.

In statements by government spokesman Momani from 2011-2014 about the Syrian refugee crisis, he tended to highlight Jordan's humanitarian commitment and open-door policies. In late 2013, Momani told the Jordan Times,

Jordan has not and will not close its borders to Syrians seeking safety and security. Under international law and norms, it is unacceptable to close borders to civilians fleeing war and crises, and Jordan respects international conventions in this regard. We are committed to an open-border policy. The proof of [that] is the fact that hundreds of Syrians continue to seek safety and security in Jordan.<sup>55</sup>

Other statements by Jordanian ministers similarly reiterated the government's commitment to protection norms, the open-door policy, and international law.<sup>56</sup>

The Jordanian government continued to emphasize its commitment to international law in what was likely in part an effort to continue receiving aid from international sources, with Prime Minister Abdullah Ensour speaking with an EU

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<sup>55</sup> Jordan Times, "Jordan refutes Amnesty claims."

<sup>56</sup> I analyzed Jordanian newspaper articles which mentioned refugees and included statements from government spokespeople from 2011-2016. My analysis primarily focused on the Jordan Times and Petra News Agency and included some articles from international newspapers as well.

delegation in late 2013 to urge “the international community to support the Kingdom to enable it to continue providing services to the Syrian refugees.”<sup>57</sup> Momani also highlighted to the U.N. Security Council in 2013 that Jordan is “playing its humanitarian role on behalf of the international community.”<sup>58</sup>

In 2014-2015, Jordanian newspapers reported high-level Jordanian officials’ meetings with U.S. congressional aides, the U.S. Deputy Secretary of State, a delegation from Harvard University, and other U.S. actors, with officials highlighting Jordan’s role in providing services to Syrian refugees. News coverage from this period makes it clear that Jordan wanted to maintain its image as upholding international law and continue receiving aid. Jordanian officials also expressed a desire to keep U.S. officials aware of the burdens placed on Jordan by the Syrian refugee crisis.

In late 2014, Western newspapers made early reports of border closures in Jordan that left up to 4,000 people Syrians trapped in the “no man’s land.” At this point, the Jordanian government denied closing the border altogether, reaffirmed its commitment to the open-border policy, and invoked security justifications only to justify occasional delays in the process of admitting refugees. In response to reports of closed borders, Momani stated,

Jordan maintains an open border policy. Injured people, women, children and others are allowed in. Sometimes due to security situations delays happen, but this is left to the judgment of border guards on the ground.<sup>59</sup>

In this statement, Momani highlights Jordan’s humanitarian role while citing security

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<sup>57</sup> -- (2013). PM, EU delegation discuss Mideast peace, Syria. Petra Jordan News Agency. Amman, SyndiGate Media Inc.

<sup>58</sup> -- (2014). Jordan to bring Syria crisis, Mideast talks into focus at Security Council. Jordan Times. Amman, SyndiGate Media Inc.

<sup>59</sup> Williams, “Jordan keeps 4,000 refugees in desert.”

to justify some limited actions taken by the Jordanian security forces.

Yet over 2015-2016, Jordanian government statements shifted to emphasize security considerations and impute the definition of security threat onto all refugees at the berm. In one report in early 2016, Petra News Agency cited a government spokesman saying,

The government, on Sunday, said available information and security assessments indicate that there are members of the terrorist Daesh group and sympathizers among the group of Syrian refugees camping across the border with Syria. The minister emphasized that Jordan's open-border policy towards the Syrian refugees will continue for humanitarian considerations and stemming from the Kingdom's respect of international law and international humanitarian law, but national security remains above all considerations.<sup>60</sup>

In 2015, the Jordanian government also said that “we are willing to cooperate with any other country that is willing to take those refugees... We can send them in our airplanes,”<sup>61</sup> knowing that the world’s largest resettlement country, the U.S., had also cited national security concerns in order to justify excluding Syrian refugees.

In newspaper articles and statements, officials from the Jordanian government have pointed to the lack of international cooperation to resettle refugees and have adopted the narrative that Syrian refugees pose a militant threat of ISIL. In one statement, government spokesperson Momani noted that “This is not Jordan’s problem” and that the border would remain “a sealed military zone.”<sup>62</sup> Another government military analyst stated in January 2016 that the international community is at fault in the berm situation, stating,

It is the international community to blame for its double standards as its stands

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<sup>60</sup> -- (2016). Gov't: Refugees camping across border with Syria include Daesh terrorists, sympathizers. Petra Jordan News Agency. Amman, SyndiGate Media Inc.

<sup>61</sup> Malkawi, K. (2016). No major shift in Jordan's refugee policy -- gov't. Jordan Times. Amman, SyndiGate Media Inc.

<sup>62</sup> Mohammad Ghazal, K. M. Jordan says Syrians in no-man’s land are world’s responsibility.

regarding burdens shouldered by Jordan are disgraceful and unacceptable...Jordan cannot tolerate any security breach, especially since it is aware that there are Daesh sympathizers amongst those...The humanitarian aspect should not transcend the security aspect in this regard.<sup>63</sup>

Jordanian aid officials in my research mentioned the hypocrisy of the U.S., a wealthy, patron state of Jordan with procedures in place to extensively screen Syrians, debating whether the U.S. could admit 10,000 Syrian refugees because of security concerns, while its ally and rentier state Jordan hosted over 600,000. I argue this securitizing rhetoric by the U.S. hampered attempts to advocate via diplomatic channels for Jordan to admit refugees from the berm, creating a “double standard” perceived by Jordanian officials.

Notably, since this shift in U.S. policy has occurred, other changing political developments in Jordan have affected refugee policy outcomes. It has become clear that the war in Syria would continue longer than expected and refugees are unlikely to leave. The threat of attack by ISIL became relevant for both the U.S. and Jordanian states. Thus, it is worth noting that to some degree, changing Jordanian policies result from political developments as well as changing scripts for how states approach refugees. Still, this securitization has removed strategic incentives for Jordan to adhere to international protection-based norms, as the U.S. signals it will not take a strong stance on the right to asylum or refugee protection for Syrians.

In addition, as the 1951 Convention and other international refugee laws outline specific exceptions (that refugee law does not apply to individuals who could pose a security threat because of involvement in a military or crime), the fact that the U.S. is imputing the definition of “security threat” onto all refugees from Syria

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<sup>63</sup> Ghazal, M. Plight of Syrians stranded on border exposes world's 'helplessness', SyndiGate Media Inc.

growingly means that this exception can widely apply to all individuals of a particular nationality. Given this rhetoric, the protocols and norms underlying international refugee protection lose political influence. This construction blurs the line of what protection international law theoretically affords to Syrian refugees.

As detailed earlier, this securitizing rhetoric in the U.S. emerged at a time when Jordan faced a post-Arab Spring challenge to its ruling bargain and compounded on Jordan's pre-existing framework for approaching refugee influxes as a security issue. Nevertheless, refugee policies in highly aid-dependent states like Jordan must be analyzed in light of international political context, not only internal dynamics. U.S. political debates over refugees are influential in Jordan and maintaining a relationship with the U.S. and receiving American foreign aid are crucial to the Jordanian government. Signals of shifting American policy toward refugees can legitimize or justify refugee policy decisions in Jordan.

In addition to Jordan's shift to a security-focused approach to refugee policy, recent policies by the Trump administration to exclude Syrians from U.S. immigration programs have impacted political debates in Lebanon surrounding refugee admissions.<sup>64</sup> As Austin Schiano notes, "Trump's executive orders and rhetoric has emboldened critics of refugee resettlement, as well as anti-Syrian and anti-Muslim sentiment around the world, from Europe to the Middle East."<sup>65</sup> U.S.

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<sup>64</sup> President Michel Aoun of Lebanon, directly after the U.S. executive order on January 27<sup>th</sup>, "renewed calls for Syrians to be repatriated to their home countries" citing "security fears." Hall, R. (2017). After Trump Ban, Lebanese Leader Renews Call to Return Syrian Refugees. *News Deeply*, News Deeply.

<sup>65</sup> Schiano, A. (2017). Before Trump Order, Syrians Already Faced Shrinking Spaces for Refuge. *Syria Deeply*. New York, News Deeply.

securitization, in a political context with domestic instability and tenuous legal frameworks for refugees' rights, lends legitimacy to any leaders who aim to exclude refugees. This securitizing move creates significant roadblocks to upholding protection-based norms in Jordan and other refugee-hosting states.



## **Implications for Protection and Policy**

In this chapter, I derive conclusions and implications of my study for the broader literature on Jordan, the Middle East, refugee protection agencies, and forced migration. Broadly, the conclusion that refugee protection organizations operate within domestic political dynamics and scripts about refugees concerning security applies to other cases, both in the Middle East and elsewhere. The argument that states cite security concerns to justify holding power over INGOs points to a reversal of “boomerang theory” concerning INGO relationships with states. The analysis that state securitization and concerns over political stability create normative tensions within the international refugee regime also demonstrates that there exists a flaw in refugee protection: that the institutions tasked with upholding it are ill-equipped to respond to instances in which the state cites issues of national security and stability. Finally, given current trends in forced migration, I reflect on implications of the social and political constructions of security that detriment protection work in light of modern political challenges.

### *Politics and (in)stability in Jordan*

With regard to current literature on politics in Jordan and disruptions to its ruling bargain, this thesis converges with other recent scholarship on this issue. Academics such as Abu Rish and Phillips have noted that public discontent in Jordan

has only temporarily dissipated due to the specter of the Syrian conflict.<sup>1</sup> Because many Jordanian activists, seeing the strife and violence in Syria, fear what would happen after a mass demonstration and regime change, there has been a temporary quell in Jordanian political activism since the beginning of the Syrian conflict. Yet protests over resource shortages are returning, as noted in Chapter 6. Though the Jordanian government's strategy has largely been to maximize benefit from external aid while scapegoating longstanding structural issues onto the Syrians, it is becoming apparent that this strategy can only successfully prevent political dissent temporarily. Whether future protests adopt more disruptive tactics remains to be seen.

Simultaneously, as discussed in Chapter 6, the Jordanian government has approached the presence of Syrian refugees as a short-term rather than a long-term issue, with political actors reportedly reticent to discuss the potential for Syrians to stay in Jordan beyond the end of the conflict, or to address the long-term needs and sustainable existence of Syrian refugees in Jordan. Practically, as aid practitioners noted in the course of this thesis research, however the Syrian conflict ends, there is likely to be a large contingent of Syrian refugees who cannot return to Syria. At this point, Jordanians could become more frustrated with the presence of Syrians. How the Jordanian government responds will depend on its preexisting strategies for quelling challenges to its regime and to the status quo. Given political scripts in Jordan for approaching refugees and specifically Syrian refugees, it is likely that the Jordanian government will continue to label Syrians as a threat to Jordanian national security, further restricting or deporting Syrians in response to increasing frustrations or concerns among Jordanians.

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<sup>1</sup> Phillips, *The Unfolding Tribal Awakening*, 76.

Again, it is worth noting that securitization in Jordan has had tangible impacts on Syrian refugees' human security. After the Jordanian government closed the borders, unrest at the berm increased significantly. Because Syrians' existence in Jordan is marked by constant fear of deportation, Syrians have become wary of government officials and have been reticent to apply for work permits, even when afforded the opportunity.<sup>2</sup> It will be necessary for future literature on refugees and security in the Middle East and elsewhere to continue reflecting on varying and contested ideas of security and how security-focused rhetoric affects politics, humanitarian work, and national security itself.

### *Toward modern theories of international migration and security*

This thesis addresses a gap in international migration theories and theories about refugee protection in that most existing literature on the topic has focused on the period of forced migration in Europe after World War II or conflicts in sub-Saharan Africa in the 1990s. In order to identify future areas of theory development about forced migration in the Middle East and North Africa, in this section I reflect upon how aspects of this case study apply to other countries in the region. In addition, I identify implications of this study for cases beyond the Middle East.

Jordan differs from other cases in that its government has enacted refugee policy in a coherent, top-down response. This differentiates it significantly from other cases such as Lebanon, where refugee policy varies across local governments. In interviews conducted in Lebanon, aid agencies described that their work and project

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<sup>2</sup> Williams, S. E. (2017). Jordan looks to turn refugee crisis into economic boon. [IRIN News](#). Amman.

approval depended upon their relationships with local officials. Other accounts have also shown that Syrian refugees' rights vary across regions and municipalities, with some pursuing policies that impose a curfew on Syrian refugees citing security fears and others affording them more freedoms.<sup>3</sup> However, Turkey, another large refugee-hosting state in the region, has also advanced a more centralized approach based on Turkish legislation regulating immigration and foreigners.<sup>4</sup> Moreover, in formulating theories of migration based on displacement in the Middle East, scholars must consider the implications of regime type and degrees of centralization to understand interactions between international organizations and host governments.

Several of the mechanisms I explore in the case of Jordan occur in other cases to varying extents. For example, many states across the region received Palestinian refugees in the second half of the 20<sup>th</sup> century, and "Palestinianization" (the tendency to view refugee crises in relation to the historical experience of Palestinian migration) occurs across other cases as well. For example, Lebanon also experienced political violence related to the presence of Palestinians and may consider forced migration in terms of its potential for causing political violence. Turkey, in its response to the presence of Syrians, also reportedly has drawn upon its history hosting migrants and refugees from the Middle East, Africa, and Asia and its institutional frameworks for managing migration.<sup>5</sup> Comparative scholarship devoted to comparing political scripts and institutional legacies for addressing refugees in these and other cases would help

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<sup>3</sup> HRW (2014). Lebanon: At Least 45 Local Curfews Imposed on Syrian Refugees. Beirut, Human Rights Watch.

<sup>4</sup> İçduygu, A. (2015). "Syrian refugees in Turkey: The long road ahead." Washington, DC: Migration Policy Institute, 1.

<sup>5</sup> Ibid., 4.

to establish a comprehensive migration theory based on the Middle East and current refugee-hosting states.

Further, political scripts in the U.S. matter not just in rentier states, but in many states where U.S. foreign policy and aid funding has played a role. Some commentators have noted that the U.S. government's policies and rhetoric securitizing Syrian refugees has empowered local actors in host governments to similarly construe refugees as a security threat. For example, the Lebanese president Michel Aoun, days after the U.S. executive order excluding Syrian refugees, "renewed calls for Syrians to be repatriated to their home countries" citing "security fears."<sup>6</sup> U.S. securitization of Syrian refugees has played a role in fostering anti-refugee sentiment not only within rentier states highly dependent upon U.S. funding, but also in states such as France and the Netherlands where U.S. foreign policy plays a role. As Syrians have faced shrinking protection space across the Middle East over the course of the conflict, U.S. securitization legitimizes anti-refugee actors. Presumably, this rhetoric will continue to justify policies which further limit Syrians' access to protection.

Evaluating disruptions to Middle Eastern ruling bargains during the Arab Spring is also critical to understanding aid policies in all states in the Middle East and North Africa. States' refugee policies are created and enacted in relation to their strategic interests and efforts to maintain domestic stability. Of course, the Arab Spring played out differently across all cases, and more scholarship considering variation across Arab Spring cases in relation to variation across refugee policy would help to establish international migration theory specific to the region. Further, the

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<sup>6</sup> Hall, "After Trump Ban."

specter of conflict, instability, and displacement in the aftermath of the Arab Spring has in many cases affected peoples' desire to pursue protests and reform; the presence of Syrian refugees and humanitarian crisis across the region has served as a reminder of the costs of instability and demands for reform. Additional research on the effect of Syrian refugees' presence across the region upon populations' willingness to pursue protests and reform would contribute significantly to literature on post-Arab Spring ruling bargains.

Beyond the Middle East, political scripts and states' strategic interests play a critical role in determining refugee policy. It is worth examining how constructions of refugees fit into states' preexisting strategic goals. In democracies such as France or the U.S., it is worth considering how parties construct particular narratives about refugees in line with their strategic political interests. For instance, narratives about Syrian refugees by the political opposition in the U.S. and the legislature's securitizing move served the Republican party's strategic goals in the 2016 election. In other democracies where one political party construes refugees as a security threat and another does not, academics could consider party incentives in pursuing one narrative about refugees versus another.

Across cases, political scientists should further explore how discourse about terrorism and security threats has affected politics, with refugee policy as one notable area where discourse about terrorism has significantly impacted policy outcomes. Because of the nature of refugee flows (that they occur in areas affected by conflict) and widespread securitization of refugees in general that has occurred since the Cold War, this political script has impacted refugee policy very significantly, as established

in this thesis. Yet states' rhetoric about terrorism has also had notable impacts on areas of foreign and domestic policy across many cases. In a March 2017 article, former U.S. Department of State officials Jon Finer and Robert Malley argued that both American political parties' emphasis on terrorism has served to "stifle conversation, since decisions justified by threats to the homeland are insulated from criticism."<sup>7</sup> According to Finer and Malley, "as the counterterrorism rationales from internal arguments find their way into speeches and official statements, it ratchets up public anxiety," affecting electoral outcomes.<sup>8</sup> Should this trend continue, political scientists and analysts studying refugee policy as well as other topics will have reason to further explore how securitization, discourse about terrorism, and resulting public sentiments affect policies.

### *A security exception in the international refugee regime*

Based upon this case study and my interviews with refugee protection officials in Jordan, I argue that a significant flaw in the international refugee regime has emerged due to state securitization. Refugee protection agencies lose traction to uphold their mandates when states cite issues of security as justification for their policies. Instead, INGOs and U.N. agencies tasked with upholding refugee protection comply with states' national security agendas. Further, refugee protection agencies are navigating their role in governance and stabilization in the countries in which they operate, an issue that has emerged as conflicts around the world are lasting longer. As

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<sup>7</sup> Jon Finer, R. Malley. (2017). How Our Strategy Against Terrorism Gave Us Trump. New York Times. New York.

<sup>8</sup> Ibid.

emergency responses transform into long-term development strategies, refugee protection agencies must reconsider their relationship with states and providing aid to host governments, institutions, and communities. As demonstrated in Chapter 4, many protection agencies have compromised their mandates and positions as norm-propagating institutions as a result of their need to comply with state policies focusing on national security and political stability.

This phenomenon points to a growing problem with the international refugee protection regime: as states renege on commitments outlined in the 1951 Convention and other legal protocols related to refugees, UNHCR and INGOs have fewer means with which to advocate and lose traction to influence policy. UNHCR and other international organizations have historically been able to influence policies and encourage compliance with international protocols in many refugee-hosting states. Yet evidence from Jordan as a case study demonstrates that as international organizations are navigating their role in state security and stability, their influence on state policies decreases in contexts when the state uses arguments about national security.

This case study signals a growing exception in international refugee law's application. As previously noted, the 1951 Refugee Convention specifies that it does not apply to those who have committed serious crimes.<sup>9</sup> In practice, however, many states have imputed the definition of "security threat" onto entire categories of refugees from a particular nationality, as evidenced by securitized policy frameworks toward Syrians across multiple cases. UNHCR's policy decisions are influenced by state constructions which categorize particular nationalities of refugees as security

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<sup>9</sup> UNHCR, *1951 Refugee Convention*.



threats. In Jordan, UNHCR has made policy decisions which prioritize compliance with the state over its monistic principles.

This study also points to a reversal of boomerang theory, Margaret Keck and Kathryn Sikkick's 1998 theory that transnational activist networks influence policy and state sovereignty through a variety of channels. Keck and Sikkick argue that "By thus blurring the boundaries between a state's relations with its own nationals and the recourse both citizens and states have to the international system, advocacy networks are helping to transform the practice of national sovereignty."<sup>10</sup> Keck and Sikkick argue that NGOs and international organizations are major players in transnational advocacy networks, stating that "international and domestic nongovernmental organizations (NGOs) play a central role in most advocacy networks, usually initiating actions and pressuring more powerful actors to take positions. NGOs introduce new ideas, provide information, and lobby for policy changes."<sup>11</sup>

Yet this and other case studies demonstrate that growingly, Jordan is reasserting its sovereignty over international organizations and INGOs. Rawan Arar notes in a 2017 piece that the international refugee regime is predicated on a "grand compromise" in which "states in the Global South shoulder the 'refugee burden' which refers to the difficulties of changing demographics, porous borders, and the involvement of international institutions—all practices that have been characterized

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<sup>10</sup> Keck, M. E. and K. Sikkink (1999). "Transnational advocacy networks in international and regional politics." *International Social Science Journal* **51**(1), 89.

<sup>11</sup> *Ibid.*, 92.

as contributing to the decline of sovereignty.”<sup>12</sup> In light of this “compromise,”

however, Arar argues that Jordan has reasserted state sovereignty:

Officials of the Jordanian state leverage their position within the ‘grand compromise’ to maintain state sovereignty. The practice of Jordanian sovereignty is tied to sovereignty concerns of states in the Global North. Jordanian officials leverage Jordan’s role in solving the ‘refugee problem,’ and in the process, increase international aid and optimize refugee hosting.<sup>13</sup>

To Arar’s argument, I would add that Jordan’s efforts to maintain state sovereignty include attempting to mitigate the above practices which reduce its sovereignty.

Jordan has exercised control over its borders and rejected INGO and UNHCR efforts to change its policies related to the berm. It has attempted to reduce the potential for a major demographic change by controlling Syrians’ movement and ability to pursue employment, integration, or other means of sustainable existence. Finally, to reduce the ability of international institutions to challenge Jordanian sovereignty, the state has furthered policies and institutional strategies to ensure INGO and UNHCR comply with its agenda and minimize international organizations’ influence on policy.

Underlying the state’s practice of sovereignty is a strategy of invoking particular political scripts about refugees as a security threat and burden. In light of this strategy, which effectively reduces the power of international organizations, these institutions and transnational activist networks tasked with strengthening refugee protection are reconsidering ways to successfully advocate for their norms and policy agendas. Some aid officials noted attempts to highlight a more positive narrative

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<sup>12</sup> Arar, R. (2017). *Leveraging Sovereignty: The Case of Jordan and the International Refugee Regime*. *Refugees and Migration Movements in the Middle East*. University of Southern California, Project on Middle East Political Science, 13.

<sup>13</sup> *Ibid.*, 13.

about the effects of Syrian refugees in Jordan, yet felt these efforts had been unsuccessful in light of the state's narrative about refugees as a burden and threat. Other INGO officials highlighted that they felt it ineffective to "bang the human rights card on the table" through a strategy of "shaming and blaming" the Jordanian government, because they saw it as offensive to highlight problems in Jordan's refugee response in light of the burden Jordan has carried in accepting such a high number of refugees.<sup>14</sup> Given INGOs' and UNHCR's commitment to Jordanian sovereignty and complying with the state's agenda, it does not appear from my research that UNHCR and INGOs have a clear sense of their transnational network's appropriate channels to influence the state. Handling the state's concerns about security and stability poses them a tactical and normative challenge.

Notably, some organizations have approached this broad dilemma by pursuing policies that reconcile human security with state security. For instance, the example of work permits demonstrates that as national security rests upon human security, the state can be convinced to pursue protection-oriented policies under the justification that doing so will prevent future radicalization and national security threats. While refugee protection organizations are frequently caught between their protection-oriented mandates and the national security interests of the state, it is worth further considering how human and national security goals could align in future refugee policy decisions.

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<sup>14</sup> Interview with INGO official, August 28, 2016, Amman, Jordan.

### *Implications for current events and trends in forced migration*

In closing, I reflect upon implications of this case study for policy as well as current events and trends in forced migration. I explore three larger issues relevant to this case study: the effects of prolonged conflicts on human insecurity, the relationship between human insecurity and national security, and the future of forced migration in light of pressing issues such as climate change.

As discussed in Chapter 1, in a fundamental sense state security rests upon human security. In several instances, research conducted for this thesis reflected the notion that increasing human insecurity in Jordan and elsewhere in the Middle East as a result of protracted displacement can actually create new national security concerns. For instance, the declining security at Jordan's border that has occurred since its border closure demonstrates that disallowing displaced persons (with demonstrable refugee claims) from entering a state or accessing aid can create an environment where individuals have no viable options, allowing non-state or terrorist actors to thrive. In many ways, admitting refugees and providing them with state protection is a sound national security strategy, which is likely why Jordan's military reportedly advocated it over the border closure.

Further, the decision to afford Syrians some work permits derived from a national security rationale, as demonstrated by interviews with aid officials in Chapter 4. This decision rested upon the notion that individuals living in insecure conditions are more likely to pursue crime or join violent non-state groups that provide an alternative livelihood. Moreover, the relationship between human insecurity and national security is a necessary issue for policymakers to consider when making

refugee policy decisions, especially when states are concerned about national security threats. Ultimately, protection and security can be seen as complementary rather than conflicting concepts in that upholding refugee protection in the Middle East and North Africa could demonstrably reduce potential threats to national security.

At the moment, there is no sign that the majority of the over 20 million persons who are currently refugees are likely to have access to a durable solution of voluntary repatriation, local integration, or resettlement in the foreseeable future. As previously mentioned, modern conflicts are lasting longer than conflicts have in the past, making voluntary repatriation (returning to one's country of origin) an unlikely solution for Syrian refugees and other groups.<sup>15</sup> In addition, growing restrictions on refugees' rights or sustainable existence in Jordan and other refugee-hosting states makes local integration a difficult solution, which may cause political contention in the future. Finally, less than one percent of the world's refugees were resettled prior to 2017, and in 2017 the largest third-country resettlement state, the U.S., has signaled an intent to significantly reduce resettlement numbers. In an era where refugees are increasingly securitized and U.S. rhetoric has emboldened anti-resettlement actors, it is likely that other countries will follow suit. Resettlement will only be an option for a small minority of refugees in the near future.

States are backing away from existing commitments to refugee protection. Yet in light of climate change, forced migration is intensifying, not ending. Some analysts have argued that climate change serves as an underlying cause of current refugee flows; the war in Syria, for instance, was predicated by a famine that increased anti-

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<sup>15</sup> Human Security Report Project (2012). *Persistent Armed Conflict: An Increasing Threat? Human Security Report 2012: Sexual Violence, Education, and War*. Vancouver, Human Security Press.

government sentiments and unrest.<sup>16</sup> In light of the growing displacement that will happen due to natural disasters or conflicts as a result of climate change, states will need to establish new frameworks and protocols for addressing the needs of climate refugees. The securitized policy framework governing forced migration at the moment will shape states' commitments to refugees in the future. States will likely continue to cite security threats in order to avoid upholding existing refugee protection norms, and may be reticent to create and enforce new commitments to protection in response to future challenges.

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<sup>16</sup> Gleick, P. H. (2014). "Water, Drought, Climate Change, and Conflict in Syria." Weather, Climate, and Society 6(3): 331-340.

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