Humanitarianism Without Rights: Refugee Securitisation and the Politics of Containment in Jordan Post 9-11

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Abstract

Although the Hashemite Kingdom of Jordan is widely lauded for its humanitarian commitment to refugees, critical studies and human rights reports point to a troubling interweaving of security and humanitarian approaches in its responses to refugees. This paper adds to this growing body of literature a critical analysis of Jordan's response to the still ongoing Syrian refugee crisis. It traces the government-led response, supported by the United Nations High Commissioner for Refugees (UNHCR), across four sites, namely Cyber City, Za'atari Camp, Azraq Camp and Rukban. The analysis highlights how State security concerns emanate the modalities of humanitarian governance, blurring the boundaries between compassionate care for refugees and a politics of containment aimed at securing not only the outer borders of the Jordanian State but also regionally and beyond from the potential threat of militant violence. The paper situates the securitised humanitarianism on display in this case in relation to the intersection of local and global security priorities and processes post 9-11.

Introduction

The government of Jordan contends that up to 1.3 million displaced Syrians are living in the Kingdom,[1] with roughly half of this number recognised by the United Nations High Commissioner for Refugees (UNHCR).[2] Although generally hospitable to refugees, Jordan is not a State Party to the 1951 Refugee Convention and provides rights to refugees on a discretionary and differentiated basis.[3] Although most policy-oriented studies on refugees in Jordan praise the Kingdom for its humanitarian commitment,[4] recent critical studies and human rights reports have shown that this occurs in parallel with the deployment of securitisation discourses and practices to manage refugees living in camp and non-camp settings. This paper expands on the insights of this recent literature and contextualises the ongoing securitised-humanitarian operation for

Syrian refugees in relation to the intersection of local and global manoeuvres to 'contain' militant insurgent groups since 9-11. The paper highlights the human rights implications of this dual humanitarian – security approach to refugee management, noting in particular refugee un-freedom and the lack of safeguards and limits on the exercise of sovereign (State) power, particularly in camp settings.

This paper draws on the theoretical perspectives of Didier Bigo and other critical security scholars, particularly those affiliated with the 'Paris School', in viewing security as a variable social construct rather than an objective fact.[5] Scholars affiliated with the Paris School differ from other security scholars in asserting that the borders between external and internal security are increasingly blurred due to the globalisation of security logics and practices particularly since 9-11 and the US-led 'War on Terror'.[6] This does not mean that individual States no longer have unique security concerns, but rather that these increasingly intersect with those of other states in a globalised world.[7] 'Securitisation' refers to the 'speech acts' of ruling elites and bureaucratic labelling practices of government officials and security professionals (including not only police and law enforcement personnel but also other professional groups legitimising their work through the discourse of security) which designate a particular individual, group or other referent object as a security threat.[8]

Securitisation often entails the scapegoating of a particular demographic group, be it ethnic minorities, immigrants and increasingly since 9-11, Muslim communities.[9] This is largely due, as argued by Bigo, to the Westphalian 'conception of the state as a body or a container for the polity', and is 'anchored in the fears of politicians about losing their symbolic control over the territorial boundaries'.[10] Drawing on Michel Foucault's notion of 'governmentality'[11] and Giorgio Agamben's notion of 'exception',[12] Bigo views securitisation of (Muslim) immigrants as a mode of governing populations through the creation of social unease. As he argues: 'The securitization of migration is then a process that creates continuous unease and uncertainty, focusing general fears and the "social distribution of bad" on the specific category of the immigrant'.[13] The aim of this exercise is to reduce public resistance to repressive measures that limit rights and freedoms, such as invasive policing, racial profiling, high-tech surveillance, extra-legal detentions, so-called 'renditions' and trials without due process safeguards.[14] The distinction of 9-11 is in pushing liberal regimes into normalising exceptional measures that are distinctly illiberal in orientation, to the detriment of human rights and the rule of law.[15]

Critical security perspectives help explain the concept of 'security' in the Jordanian context to observers who may be less familiar with the highly expansive way in which the notion has been deployed by the ruling regime historically and in contemporary times. While on the lighter end of the repression spectrum compared to some of its authoritarian neighbours, Jordan has been described by a leading politics scholar as a 'soft security state'.[16] As noted by Tal, 'security' in the Jordanian context extends beyond the typical form of threat of political violence to include so-called 'non-traditional' security issues, thus encompassing even plausible rather than known, foreseeable or imminent threats.[17] Political stability, monitoring the demographic balance between East Bank Jordanians and populations with refugee status, maintaining and maximising

scarce natural resources (especially water), safeguarding the economy, maintaining social cohesion, and protecting outer territorial borders, are all included in the expansive Jordanian conceptualisation of State security, which had begun to coalesce in the first decades of Jordanian statehood.[18] Further, the responsibility for ensuring State security rests not only on law enforcement agencies and the military but also on all arms of government, and even entails the responsibilisation of the public in its maintenance.[19]

Refugees specifically began to come under the rubric of security concern in Jordan in the 1960s following a period of conflict with Palestinian freedom fighters based in Al-Wehdat and other refugee camps in and around the capital city Amman, leading to a civil war in 1970 and the expulsion of Palestinian fighters the following year.[20] Although the fighters were expelled, the camps and most of the Palestinian population remained, thus altering the demographic balance between East Bank Jordanians constituting the core political constituency backing the ruling Hashemite family, and Jordanians with concurrent Palestinian refugee status.[21]

Demographic fracture is a sensitive issue in Jordan, seen as a possible threat to be managed carefully rather than a source of national strength; one which requires prioritising allegiance to the State – represented in the form of the ruling royal family – over tribal identities and other forms of allegiance. Middle Eastern politics scholar Nanes refers to this identity management exercise as 'Hashemitism'. [22] It is worth noting here how successful this strategy has been to ensuring the continued stability of Jordan's political elite during a period when much of the Middle East and North Africa (MENA) region was engulfed by uprisings and mass political upheaval. Even when protests occurred regularly during the so-called 'Arab Spring' in 2010 and 2011, much of the public angst in Jordan was directed at successive appointed governments rather than the royal family.[23] This expansive understanding of 'security', encompassing both known and unknown plausible variables, contextualises the exceptional measures adopted towards refugees in post 9-11 Jordan.

It is worth emphasising the intersection of Jordan's unique security concerns with the politico-security priorities of the US, being the main source of developmental funding to Jordan since the advent of the postcolonial State.[24] Jordan's role in providing a humanitarian - containment solution to Palestinian refugees intersects with the US's priorities in ensuring a security buffer for Israel and stalling resolution of the thorny issue of the right of return of Palestinian refugees. The containment approach to Syrian refugees that will be highlighted in the latter parts of this paper serves not only Jordanian border protection imperatives but also those of the US in seeking to halt the spread of political Islam within the context of its 'War Against the Islamic State', the latest iteration in its post 9-11 'War Against Terror'.

Refugees and Securitised-Humanitarianism Post 9-11: Global Overview

'Almost every aggressive act by any great power is justified on humanitarian grounds. From the point of view of the aggressor it's a humanitarian intervention,

but not from the point of view of the victims. Probably, if we had records from Attila the Hun, we might find the same thing.'[25] -*Noam Chomsky*

The September 11 attacks were a water-shed moment for the global securitisation of migrants from mainly Muslim majority countries,[26] reflecting a broader pattern of demonization of long-settled Muslim minorities in liberal States as outcast threats to the secular demographic majority.[27] Observing the post 9-11 political and cultural climate in the US, anthropologist Mahmood Mamdani noted: 'Whether in Afghanistan, Palestine, or Pakistan, Islam must be quarantined and the devil must be exorcized from it by a civil war between good Muslims and bad Muslims'.[28] Within the first few months of the attacks, the US government detained more than 5,000 mainly Arab and Muslim foreigners without trial and other due process rights, with the majority reportedly not charged in a court of law even five years following their detention.[29]

The 9-11 attacks were also decisive moment in the humanitarian sector's normative and practical shift away from an earlier, classical and politically neutral form into a politicized 'new' humanitarianism which legitimised and acted in fluid symbiosis with imperial military intervention, incorporating security discourses, technologies and practices that blurred the boundaries between humanitarian and security work.[30] Muslim majority countries became the sites of dual military intervention to root out armed Islamist insurgents as well as large scale, multi-billion dollar projects led by the United Nations, funded by the US and other liberal States, to provide humanitarian care and establish democracy for the same populations that were being bombed and forcibly displaced by these bombs, as exemplified by the humanitarian-military project in Afghanistan post 9-11. Noting that humanitarian NGOs played a key role in legitimising the US regime change operation in Afghanistan, Shannon observes that 'the role of NGOs has been undermined, not least by the NGOs themselves'.[31] Hence anthropologist Agier's description of post 9-11 humanitarian organisations' relationship with imperial military power as being the 'left hand of empire' that 'follows on the heels of and smoothes over the damage wrought by military intervention', 'striking with one hand, healing with the other'.[32]

Concerns over militants taking advantage of refugee migratory flows began to push the UNHCR specifically into taking a more active foray into security matters, to the extent that the humanitarian organisation can now be thought of as a 'global security actor', as argued by Hammerstad.[33] The UNHCR, which has global responsibility for the coordination of humanitarian responses for refugees, trialled and implemented a biometric identification project with Afghan refugees in Pakistan in 2002, in tandem with the US war against the Taliban and Al-Qaeda in Afghanistan.[34] The fact that humanitarian biometric technology is also simultaneously a security technology is an open secret. The US government, being one of the largest donors to the UNHCR's global operations, requires all refugees entering the US to have biometric identification and pass an extensive security screening process.[35]Although humanitarian reporting generally describes biometric technology as a tool for improving humanitarian efficiency and aid accountability, in a briefing to the UN Security Council's Counter-Terrorism Committee in 2017, the UNHCR affirmed the complementarity of refugee protection and State

security and advocated systematic biometric registrations to stop militants from entering into the refugee resettlement pool.[36] Jacobsen notes the possibility of unintended harm, particularly in cases of biometric data-sharing with governments involved in supporting the 'War on Terror'- as reportedly occurred in a refugee camp in Kenya.[37] Alongside the use of security technologies to manage refugees, the UNHCR has also securitised and encouraged the deportation of failed asylum seekers and activist refugees engaging in peaceful protests, and legitimises its actions using the discourse of security and protection of the rights of the bona fide refugee.[38]

The Jordanian government, being a key US partner in the 'War on Terror',[39] adopted a securitised approach in its humanitarian response to Iraqis displaced by the US war post 9-11. Iraqi refugees were not given a camp-based humanitarian solution while subjected to official statements representing them in terms of threat.[40] The involvement of an Iraqi refugee in a hotel bombing in Amman was widely used to scape-goat displaced Iraqis generally as plausible if not imminent threats requiring careful management, even though 'there is no sign of combat activity involving Iraqi refugees; no massive recruitment of refugee warriors; and no spill-over of the political violence in Iraq via refugees carrying out their presumed role as "carriers of conflict,"' as argued by political scientist Leenders. [41] Most Iraqi asylum seekers were treated like unwanted guests. Only those who could afford to pay for residence in Jordan were granted residency permits.[42] Due to the inhospitable treatment, the majority of Iraqis merely passed through Jordan as a transit country.

Securitising Syrian Refugees

Specifically, in relation to the most recent refugee population from Syria, the Kingdom views the refugee crisis as not only a threat to Jordan's security but also to broader regional security. Within months of the first arrival of Syrian refugees into Jordan in 2011, King Abdullah II stated to international media: 'What happens in Syria, I think we in Jordan, I think we are isolated from it, except for the refugees', adding that Jordan had by then begun to 'dramatically increased our border security'.[43] More recently in 2016 following two bombing incidents, one at the Rukban borderline with Syria and Iraq and another inside Jordan, both attributed to the 'Islamic State' group, Prince Hassan stated: 'It is the fallout of the Syrian catastrophe that is destabilising the countries of the eastern Mediterranean, including Jordan's demography".[44]

The rest of this paper discusses other examples of the securitisation of Syrian refugees in Jordan and highlights the securitised mode of governance in Syrian camps jointly run by the Jordanian government and the UNHCR. This intersection of securitised and humanitarian approaches in the management of Syrian refugees in Jordan has thus far only been discussed in two studies to date, namely Hoffmann's study of Azraq Camp,[45] and this current author's study on Za'atari Camp.[46] The remainder of the paper illustrates the securitised-humanitarianism on display in contemporary Jordan through a multi-sited approach by considering the modes of refugee governance in four Syrian refugee camps, namely Cyber City, Za'atari, Azraq and Rukban.

In taking a multi-sited approach, this paper provides a panoramic perspective across Jordanian topographical terrain, spanning from its northern borders with Syria to a liminal, 'no-man's land' site in the Southern desert. In doing so it elucidates the broad argument of this paper: the securitised humanitarian operations in Azraq and Za'atari were not unique to the refugee population groups in those camps but were indicative of the overall approach of Jordan towards refugees in contemporary times; one which treats them as not only humanitarian subjects with recognised existential needs such as to shelter and other necessities, but also as possible threats to be subjected to heightened surveillance and treated with extreme caution. The humanitarian operation is as much about ensuring State security as it is about providing compassionate care to refugees. Jordan's unique security priorities are also shown here to merge fluidly with US and broader global political priorities in containing purported threats to postcolonial State borders and the hegemonic liberal world order.

Cyber City

Cyber City is a specialised facility for double-displaced Palestinian-Syrian refugees, comprising of a six-floor building complex in Irbid governate in the north of Jordan. It plays a critical role in 'containing' Jordan's purported Palestinian refugee problem, recalling here the earlier discussion on demographic concerns and their influence on national security discourse in the Jordanian context. Very little is known about what transpires in Cyber City camp as it is rarely the subject of detailed reporting by the UNHCR, the Jordanian government's lead partner in providing humanitarian support to Syrian refugees. Early reports from human rights organisations in 2013 highlighted a number of human rights concerns about the camp, as summarised in the rest of this section. [47]

Most Palestinian-Syrian refugees were not permitted to enter Jordan to claim asylum after the onset of the Syrian revolution and ensuing refugee crisis in the later months of 2011. Those already in Jordan prior to the revolution or were otherwise able to cross the border informally using forged documents were deported back to Syria on detection by Jordanian authorities. An estimated 500 Palestinian-Syrians were transferred to Cyber City in the later months of 2011 and early 2012. Unlike the historical Palestinian camps built in the capital city Amman after the Naqba in 1948, Cyber City is located near the Syrian border to Dara'a governorate, away from densely populated Jordanian urban areas, to discourage assimilation and keep the new refugee population contained.

Human rights reports claim that some individuals were pressured into signing 'voluntary repatriation' agreements to return to Syria, resulting in the death of at least one returnee who was on the Assad regime's wanted list.[48] Those remaining in Cyber City were reportedly prohibited from leaving the building compound, with one former detainee reportedly stating during an interview: 'A dog can come and go more easily than we can'.[49] Others complained of degrading living conditions while some men were forcibly separated from their wives and children, who were permitted by the authorities to reside (at the time) in Amman and other urban areas.[50]

Za'atari Camp

Za'atari was the first purpose-built refugee camp for non-Palestinian Syrian refugees. It was opened in late July 2012 following a rapid nine-day construction process. The camp's opening coincided with reported borderline crossfire with the Assad regime over Jordan's then policy of providing political asylum to revolutionary activists and military defectors.[51] Jordan's tepid support of the anti-Assad 'Free Syria Army' (FSA) was in line with then US government policy in Syria,[52] recalling here the close partnership between the US and Jordan in implementing the former's geopolitical and security agendas in the Middle East. Jordan also had an interest in ensuring that revolutionary activism did not spill-over into Jordan, hence why it needed to ensure that Za'atari served a dual purpose as a space of humanitarian care and containment.

The securitised approach is reflected in the site choice, early camp rules and approach to security, as detailed in Pasha's study, which argued that the camp played an important role 'in a performative politics of containment targeting local and global audiences'.[53] As she observed, Za'atari is located close to the Syrian border in a remote, previously uninhabited desert site in Mafraq governorate, one of the least economically developed parts of Jordan. As with the Cyber City operation, rules were set in place making it compulsory for Za'atari refugees to remain in the camp.[54] Attempts at restricting movement were initially flouted by the refugees and largely unenforced until the UNHCR took over camp governance in 2013. Alongside a site restructure, the UNHCR proposed a detailed security overhaul to curtail crime and control the raucous refugee population who regularly protested and engaged in other forms of rule-breaking out of sheer desperation in being de facto detained in a closed camp. Former refugees and humanitarian officials described the camp in quasi-carceral terms, referring to the act of leaving camp without permission as 'escaping'. Permission to live outside camp was only possible by paying a so-called 'bail out' fee of JD10,000.[55] A refugee speaking to a BBC reporter in 2012 stated: 'We are living in a prison', 'It is like we are prisoners of the Jordanians'.[56]

The suite of measures to curtail unauthorised refugee movement best illustrates the interweaving of security and humanitarian processes in the Jordanian response at Za'atari.[57] In September 2014, following the onset of the US-led war against the 'Islamic State' (IS) in Syria, which Jordan supported militarily through participation in aerial bombings, Jordan closed the then remaining borders to Syrian asylum seekers on the grounds of security, as seen through reviews of the organisation's registration reports. In February 2015, it announced a halt on the 'bail out' procedure which previously enabled more affluent refugees to live outside camp.

Supporting this effort, the UNHCR stopped issuing asylum seeker registration certificates to refugees who left camp without permission, thus stripping them of rights while removing their entitlement to humanitarian assistance through organisations working under the official humanitarian response coordinated by the Jordanian government and UNHCR. In the same time frame, the government with the support of the UNHCR began an identity verification exercise inside and outside camp, which entailed biometric mapping of the refugee population, including iris digital scans as well as fingerprints. Finally, deportations were deployed to control more rebellious segments of the camp population, with human rights reports detailing at least one

known incident of unannounced deportation of a whole segment / street of Za'atari camp in an overnight operation.[58]

Azraq Camp and Village 5

Azraq Camp, the second purpose-built camp for Syrian refugees, also under joint management of the government of Jordan and UNHCR, has been described by Hoffmann, one of the few researchers able to secure permission to enter the site, as a 'thoroughly militarized environment nonetheless masking as a humanitarian space'.[59] Hoffmann noted how the camp had been purpose-built based on lessons learnt from Za'atari to prevent refugee protests, unauthorised site transformations and political mobilisations. As with contemporary Za'atari, digital technologies have been deployed in the form of digital iris-scan dual-purpose identification and direct debit bank cards, geographic information systems analysis of the camp population, and mass population surveys, with the intention of improving aid accountability and effectiveness; nevertheless, this invariably adds to the securitised environment in the camp. As Hoffmann argues, such digital technologies 'help the Jordanian government mark the Syrian refugee population as distinct',[60] and invariably place the refugee population under host State governance.

This has potentially negative implications from a human rights perspective considering that the Jordanian Ministry of Interior, responsible for Jordanian national security (including counter-terrorism) is the lead government agency with official responsibility over the Syrian refugee response. It has an on-site presence in Azraq and Za'atari camps. In the case of Azraq, the potential for confidential refugee biometric data to serve a counter-terrorism agenda is heightened when considering the Village 5 setup. Village 5 is a segregated detention section of Azraq Camp, accommodating mainly refugees from former Islamic State stronghold sites in Syria, who are separated from the broader camp population while undergoing security screenings by the Jordanian General Intelligence Department (i.e. the 'Mukhabarat') to verify their civilian status.

While security screenings are not anomalous in refugee camp settings globally, what makes the setup in Village 5 a particular concern from a human rights perspective is the lack of due process rights and external safeguards to challenge and limit the length of detention. Reports indicate that detention in Village 5 can last for more than two years in situations where the camp authorities have insufficient evidence to definitively designate the individual as either a civilian-refugee or former / covert combatant security threat.[61]

Rukban

The site most clearly demonstrative of Jordan's securitised approach to Syrian refugees is Rukban, a liminal border-crossing in the southern desert which turned into an informal displaced Syrian camp after the closure of the border and the onset of US military intervention in Syria in 2014 to manage the so-called 'Islamic State' (IS) threat.[62] The Rukban displacement camp formed in a demilitarised 'no-man's land' swath of land in-between two berm walls notionally

marking the borders of Syria and Jordan. As seen during a site visit prior to the site's closure to most aid workers and visitors in mid-2016, the refugee camp was under the de facto management of Jordanian border guards, who coordinated access to the site and provision of daily supplies of aid. [63] The tented encampment where refugees live was within no-man's land, extending further back into Syrian territory. Aid was delivered from a small depot on the Jordanian side of the borderline, but the displaced Syrian population had to cross back into 'no-man's land' after collecting aid. International aid workers were not permitted to cross over to the liminal space for security reasons at the time. At one point more than 75,000 persons were estimated to reside at the site, although in more recent times it has reportedly dwindled to approximately 10,000. [64]

King Abdullah, the Jordanian Head of State, explicitly referenced the 'Islamic State' threat in justifying Jordan's stringent security checks and generalised border closure to Rukban refugees. Indicating that Jordan's role as de fault refugee 'containment' solution provider was coming under stress, King Abdullah stated in an interview to international media: 'There is pressure from the international community to let them in, but we're saying to everybody, this is a major national security problem for all of us… if you want to take the moral high ground on the issue we will get them all to an airbase and we're more than happy to relocate them to your country.' [65]

The plight of those at Rukban exemplifies what philosopher Giorgio Agamben (1993) refers to as the 'exceptional' circumstances of the refugee, who can only depend on discretionary goodwill as opposed to legally binding human rights. As noted earlier, Jordan is not a signatory to the 1951 Refugee Convention and does not consider itself bound by legal obligation to respect the international right to asylum or other refugee rights. Even if in practice it extends humane treatment and hospitality to a large number of refugees permitted into the country, this is entirely discretionary – Jordan, like other sovereign States, can simply close an international border to prevent forcibly displaced individuals from claiming asylum and any purported rights official refugee status provides under international law.

The precarious situation of non-refugees at Rukban is clear when considering the manner in which Jordan terminated the provision of daily humanitarian assistance following an IS attack in June 2016, which reportedly originated from the Syrian side of the borderline, killing a number of Jordanian border guards. Reports do not mention if any refugees were killed in the attack, but five individuals were subsequently arrested, put on trial and convicted for providing material assistance (primarily photographs of Jordanian border guard position) to IS to facilitate the attack.[66] Although only a few individuals were implicated, all camp residents, estimated at the time of the bombing to number around 75,000 persons, were denied life-saving humanitarian assistance for months on end. [67] As an indicator of the consequences of denial of aid, human rights organisations spotted the appearance of a graveyard in the far end of the camp through satellite imagery.[68] Unable to access human rights through asylum, Rukban non-refugees also could not obtain their rights in territory retaken by the Assad regime. Many thousands were reportedly forcibly re-displaced, detained, tortured and forcibly conscripted into the Assad regime's war effort.[69] More recently, reports emerged of refugees from Azraq being forcibly transferred to the arid desert camp at Rukban.[70]

Conclusion

In concluding this paper, it is important to assert the importance, from a human rights perspective, of remaining astutely aware of the contemporary manifestations of securitisation practices in the post 9-11 world in MENA countries and more broadly elsewhere. Most scholars do not look to refugee camps to understand the contemporary modalities of securitisation processes. Such sites are presumed to be 'humanitarian' in character, beyond the legitimate remit of critique and beyond moral reproach. And yet as this paper and other recent studies have shown, refugee camps are not only spaces for the compassionate care of the forcibly displaced, but are also sites for the performance and augmentation of State power. Security concerns can and do impede the ability of refugees to live dignified lives with rights and guaranteed access to existential assistance.

While the focus of this paper was the Jordanian State's policies and security agenda and how this intersects with US imperial politics post 9-11, it is worth re-emphasising the role of the humanitarian organisation UNHCR in augmenting State security priorities. As discussed here in the sections on Za'atari and Azraq, refugees are subject to arbitrary deportations and immobilised within UNHCR co-managed camp spaces by the workings of laws and securitised camp governance strategies. Although the UNHCR has issued a number of statements calling on Jordan to protect Syrian refugees, its discourses are largely framed in humanitarian terms, emphasising the need for compassion and pity, rather than recognising Syrian refugees as rights-bearing subjects.[71] Ultimately, the organisation's ability to more vocally assert the human rights of refugees is limited by its mandate, being an intergovernmental body established by States with the responsibility of assisting States in establishing a global system of orderly migrate on. The UNHCR is part of the international civil service. In situations of disjuncture between State interests and refugee rights, the latter takes secondary priority.[72]

Jordan's non-ratification of the 1951 Convention on the Status of Refugees, the core document declaring that refugees are entitled to basic human rights, shows how refugee rights in Jordan are discretionary rather than legally binding obligations. This contemporary example of refugee rightless-ness in the name of State security lends support to philosopher Hannah Arendt (2017)'s claim, made shortly after the Second World War, that refugees do not yet possess the 'right to have rights'.[73] She was referring to the fact that human rights compliance is ultimately entirely dependent on the voluntary goodwill of States. When States refuse to sign or implement international human rights treaties, the contemporary system of global governance lacks enforcement mechanisms to give rights on paper their real-world effect. The globalisation of insecurity and security discourses and practices post 9-11 have only augmented the precarity of the refugee, who must now contend with heightened suspicion of involvement in militancy alongside the generalised rights lacunae that comes with being a refugee in a world that insists on assigning belonging and the right to free movement according to effective citizenship in a nation-state.

About the Author

Suraina Pasha is an independent researcher and academic with affiliations with the University of Sydney and the London School of Economics and Political Sciences (LSE). Her research focuses on the intersection of human rights, humanitarianism and securitization processes globally and in the MENA region.

Acknowledgements

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[1] Government of Jordan (2017) 'The Jordan Response Plan for the Syria Crisis, 2017 – 2019', accessed 28 June 2021, http://www.jrp.gov.jo/Files/JRP2017-2019.pdf.

[2] United Nations High Commissioner for Refugees, 'Operational Data Portal for Refugee Situations, accessed 27 June 2021, https://data2.unhcr.org/en/situations/syria/location/36.

[3] Palestinian refugees in Jordan are subjected to a bifurcated rights regime, with some (particularly those from 1948) having full Jordanian citizenship, while many of those from the 1967 war with Israel remain refugees. On the rights of Palestinians in Jordan see: Al Husseini, Jalal (2010) 'The Management of the Palestinian Refugee Camps in Jordan: Between Logics of Integration and Exclusion', *Social Science Research Network*, accessed 27 June 2021, http://dx.doi.org/10.2139/ssrn.2166837.

Jordan signed a Memorandum of Understanding (which does not have the same legal status as a binding international treaty) with the UNHCR which accords some rights to non-Palestinian refugees, but as this paper demonstrates, this is not always respected and is given on a discretionary basis.

[4] For example: Chatty, Dawn (2017) 'The Syrian Humanitarian Disaster: Understanding Local Perceptions and Aspirations in Jordan, Lebanon and Turkey', *Global Policy*, 8(S1) pp. 25 – 32.; Betts, Alexander and Collier, Paul (2016) 'Jordan's Refugee Experiment: A New Model for Helping the Displaced', *Foreign Affairs*, 28 April.

[5] Bigo, Didier (2000) 'When Two Become One: Internal and External Securitisations in Europe', in Kelstrup, Morten and Williams, Michael (eds.) *International Relations Theory and the Politics of European Integration* (Routledge: London); Bigo, Didier (2002) 'Security and Immigration: Towards a Critique of the Governmentality of Unease', *Alternatives*, 27, Special Issue, (63)92; Bigo, Didier and Tsoukala, Anastasia (2008) *Terror, Insecurity and Liberty: Illiberal Practices of Liberal Regimes After 9/11* (Routledge: London).

[6] Bigo (2000), (2002)

[7] Bigo (2002)

[8] Bigo, ibid. See also Huysmans, Jef (2011) 'What's in an act? On security speech acts and little security nothings', *Security Dialogue* 42(4-5), pp. 371 - 383.

[9] Humphrey, Michael (2013) 'Migration, Security and Insecurity' *Journal of Intercultural Studies,* 34 (2), pp.178-195.; Mavelli, Luka (2013) 'Between Normalisation and Exception: the Securitisation of Islam and the Construction of the Secular Subject', *Millennium: Journal of International Studies,* 41(2), pp. 159-181.

[10] Bigo (2002) p. 65.

[11] Foucault, Michel (2004) 'Security, Territory, Population: Lectures at the College de France, 1977 – 1978', (Palgrave-Macmillan). Foucault defined governmentality as the 'government of populations'. Critical scholars understand this to refer to not only formal processes of government but also to the modes of exercising authority, and in so doing shaping particular dispositions in individuals and population groups.

[12] Agamben, Giorgio (2005) *The State of Exception* (Translated by Kevin Attell : University of Chicago Press). Agamben adapted and extended jurist Carl Schmidt's notion of exception from its legal form to the broader exercise of sovereign authority. Agamben's notion of exception refers to a double maneuver of being excised from the remit

of the law and legal rights-protections through an exercise of the law / sovereign authority. Agamben argues there are no limits on sovereign power in a state of exception.

[13] Bigo (2002) p. 65.

[14] Bigo (2008) ibid.

[15] Tsoukala, Anastasia (2008) 'Defining the Terrorist Threat in the Post 9-11 Era', in Bigo, Didier and Tsoukala, Anastasia (eds.) ibid at pp. 49-99.

[16] Ryan, Curtis (2014) *'Security Dilemmas and the 'Security State' Question in Jordan'*, Conference Paper 'The Arab Thermidor: the Resurgence of the Security State', 10 October, (LSE in collaboration with POMEPS).

[17] Tal, Lawrence (2002) *Politics, the Military and National Security in Jordan, 1955 – 1967* (Palgrave Macmillan).

[18] Tal, ibid.

[19] Tal, ibid.

[20] Tal, ibid.

[21] Fruchter-Ronen, Iris (2008) 'Black September: the 1970-1971 Events and their Impact on the Formation of Jordanian National Identity', *Civil Wars*, 10(3), pp. 244-260.

[22] Nanes, Stefanie (2010) 'Hashemitism, Jordanian National Identity and the Abu Odeh Episode', *The Arab Studies Journal,* 18 (1), Spring, pp.162-195.

[23] Ryan, Curtis (2018) 'Jordan and the Arab Uprisings: Regime Survival and Politics Beyond the State', (Columbia Studies in Middle East Politics: Columbia University Press).

[24] El-Anis, Imad (2010) *Jordan and the United States: The Political Economy of Trade and Economic Reform in the Middle East* (Library of International Relations: I.B. Tauris). For a quick overview of US developmental grants and loans to Jordan see: US Embassy in Jordan, 'Jordan and America: Seven Decades of Friendship and Partnership', https://bit.ly/3hEWhaf.

[25] Chomsky, Noam (2018) 'Humanitarian Intervention and Imperialism: An Interview with Noam Chomsky', accessed on 29 June 2021, https://bit.ly/3yTGjii.

[26] Bigo, ibid; Humphrey, ibid; Zard, Monette (2002) 'Exclusion, Terrorism and the Refugee Convention', *Forced Migration Review*, 13 June, pp. 32-34.

[27] Mavelli (2013) ibid.

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