

The Third Sector and Refugee Governance in Jordan:
Local NGO Contributions to Humanitarian Assistance

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Abstract

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The Syrian Civil War has displaced millions of people to neighboring countries. In Jordan, the government has handled the crisis in an exclusionary way attempting to reduce its impact on the labor market by enforcing an encampment policy. The refugee regime can only administer relief in compliance with this policy due to its reliance on government consent. This creates scarcity of services for refugees in cities who don't have efficient access to official humanitarian resources. Consequently, new local organizations have stepped in to provide supplementary services due to the salience of needs and low competition from humanitarian organizations. I argue that there is a moral market for assistance which is filled primarily by small local actors that increase access to welfare to meet society's moral expectations for protection of refugees. I demonstrate my argument through conversations with nonprofit leaders who organized to address welfare gaps despite state attempts to limit the durability of refugee livelihoods.

Introduction

In 2011, the wave of unrest known as the Arab Spring reached Syria. However, the Assad regime, which had dominated the country for more than forty years, was determined to hold power by any means. Civilian protesters were first fired upon in Deraa, near the Jordanian border, and soon opposition towns such as Homs and Hama were consumed by violence. The brutal assault on civilians caused the army to split between pro-regime and opposition forces laying the stage for a drawn-out civil war. Since then, numerous armed opposition and radical groups have formed and claimed pieces of territory. The international community was swiftly divided, and the Russian and Iranian governments moved in to defend Assad, while the United States and most of the EU and Arab World declared support for the opposition. The once thriving townships of Homs, Hama, and Aleppo now lie in total ruin.

Throughout this horrifically destructive conflict, millions have sought refuge in other countries and far more have been displaced internally, trapped behind rapidly closing borders. There are over 630,000 registered Syrian refugees in Jordan, of which only 20 percent are living in camps, however the government estimates the number to be as high as 1.4 million.¹ Jordan has hosted thousands of refugees in the past decade and at many points in the past, however this time it insisted that Syrian refugees be sheltered in camps. This policy divided refugees between those assisted by humanitarian agencies and others who desired to preserve their independence by living in cities. As a result, the majority of refugees, who live outside of official camps, face a scarcity of services and a high level of uncertainty. Given this attempt to limit refugee integration we might expect to see stagnation in assistance efforts in most of the country. However, we

¹ "U.S. and Jordan in a Dispute Over Syrian Refugees: The West Keeps Asking its Middle East Allies to Bear the Burden." Bloomberg. October 6, 2016

observe new activity in a range of small, independent actors that have stepped in to fill gaps in access to services. Why? This research will focus on my conversations with several of these actors in the summer of 2016. The stories of how they organized to address welfare needs describe unexplored dynamics of refugee relief, and from this I will make broader inference into how we model interventions in emergency situations.

I hypothesize that these new service organizations have manifested because a) the impact of the crisis and personal encounters with the refugee regime compels individuals to “do something” to help and, b) the range of welfare needs are salient and tangible to society. The salience of needs allows small operations to set up independently with minimal resources, primarily from personal finances and networks, and with or without immediate government recognition or assistance from larger humanitarian organizations. New actors then fill a *supplementary* role in providing refugees with services, as policy concerns in the domestic and international arena constrain the state’s ability to enlarge welfare access for refugees. I argue that there is a *moral market* for services that is filled primarily by small local actors. The framework of the market is useful because it describes how new and existing firms increase production to fill the material demands of society. Similarly, in the *moral market*, new and existing nonprofit firms and third sector entities increase access to services to meet society’s moral expectations of protection for the dispossessed. The refugee regime fails to fully monopolize the moral market because of limitation imposed by the government, therefore competition is low enough to see the entry of many local actors.

The plan for this paper is as follows: I will begin with a general discussion of *governance* and the *third sector*. Using the term governance allows us to think about public management in a way that includes the central government as well as nonprofit and voluntary organizations. These

organizations constitute the *third sector*, that is, the sector independent of the government the (economic) market, and the household. After considering a range of institutional forms in the third sector, I will explain how it functions as a *moral market* for services, where we may interpret voluntary activities as market behaviors to explain how new organizations set up to address need. Following this I will address the literature on the refugee regime and derive a definition of *refugee governance*, showing how government and third sector organizations and mechanisms overlap to form a coherent organized entity. Next, we will consider the history of Jordan's third sector, and its record of interaction with the refugee regime. This will help us understand why the Jordanian state has adopted its current policy and what challenges new service organizations face while operating there. Finally, I will describe my conversations with nonprofit leaders in Jordan as an empirical case of how the dynamics of the *moral market* work. The evidence from this data will support my conclusion that social actors work within the *moral market* to address welfare gaps in Jordan despite state attempts to limit the durability of refugee livelihoods locally.

Governance

In order to discuss nonprofit organizations and their contribution to the social order, it is important to consider the theoretical space in which they operate as public bodies. Pulling the thread on the diverse literature on the voluntary or 'third' sector uncovers the conceptual deployment of the term *governance* to help explain its function in society.² There is no consensus in the academic literature on what the term *governance* means in the field of public management. However, this is not to say that there is no coherence to the concept. It refers to the functions of

² A complete discussion of the "Third Sector" will follow the discussion of governance. Essentially, the third sector refers to organizations and activities outside the traditional public-private sector binary i.e. privately-owned nonprofits, voluntary societies, charities, churches, mutuals, cooperatives and so forth.

public service and its expansion beyond the limits of the bureaucratic state. In today's world, nonprofit organizations, voluntary societies, charities, mutuals, cooperatives, and non-governmental organizations (NGOs) all contribute to social organization. *Governance* has emerged as a popular term to explain how these discrete organs interact, and their degree of interdependence. In order to understand the role of new nonprofits in Jordan, which are the focus of this study, we should compare them relationally to other institutions and stakeholders in the regulatory environment.

The governance discussion is seen through many lenses that will not be covered exhaustively here. The term has been applied widely by social scientists and individual organizations to bring salience to some sort of operations-to-outcomes relationship that spans institutional borders. Rhodes (1996) for example, found six different usages of the governance concept. These frameworks were developed independently, but even so, they point to some similar modes of thinking when it comes to the overall goals of administration. I will use definitions that have emerged from the public administration literature, particularly from the perspective of 'New Public Management' (NPM), and I will rely on some especially helpful meta-analyses that have collected and critiqued the various usages of governance and placed them in the context of public administration.

The first of these reviews is by Rhodes (1996) who found six different uses of governance as (1) the minimal state; (2) as corporate governance; (3) as 'New Public Management' (NPM); (4) as 'good governance' (via the World Bank); (5) as a socio-cybernetic system; (6) and as self-organizing networks.³ Rhodes argues that governments can choose

³ Rhodes, R.A.W. 1996. "The New Governance: Governing without Government." *Political Studies*. XLIV. 653

between ‘governing structures’, namely hierarchies (e.g. bureaucracies), markets, and more recently, networks,⁴ as modes to administer services. With a focus on the NPM framework, the evolution of the governance concept comes at a time of increasing public administration reform, and an emerging desire to clarify what public service means among a diverse field of actors. In the late 1980s and 1990s entrepreneurial government, or NPM changed government functions by increasing the use of private sector management techniques such as performance measurement, and replacing traditional handouts with incentive based service structures.⁵ NPM also emphasizes the disaggregation of bureaucratic government and the re-scaling of different services to lower jurisdictional divisions and ‘contracting out’ to the third sector.

Governance in this case emphasizes the role of networks in service provision. “Interorganizational linkages,” Rhodes comments, “are defining characteristics of service delivery and I use the term network to describe the several interdependent actors involved in delivering services”⁶ He defines networks as ‘self-organizing’,⁷ but does not omit the central role of the state in prioritizing public services distribution. The government is the primary provider of grants and contracts for third sector organizations, and defines its extent through legal regimes. Therefore, in theory, non-state actors are still subject to government oversight in defining their mission and reach. However, emphasizing the autonomy of these organizations is also important when considering their differing assets and strategies. Thus, the diffusion of services into these independently managed networks, in addition to the limitations imposed by

⁴ Ibid

⁵ Ibid. 655

⁶ Rhodes, 1996. Pg. 658

⁷ Ibid. 660

the NPM model of government, leads Rhodes to his central thesis of ‘Hallowing Out the State’, which he defines as:

“(1) Privatization and limiting the scope and forms of public intervention. (2) The loss of functions by central and local government departments to alternative delivery systems (such as agencies). (3) The loss of functions by British government to European Union institutions. (4) Limits set to the discretion of public servants through the new public management, with its emphasis on managerial accountability, and clearer political control through a sharper distinction between politics and administration.”⁸

Deregulation and separation of bureaucracy from politics is the general intention of NPM reform, especially in the American and British experiences. However, we must also not conflate the receding domains of government with the expansion of norms and institutions that require new governance structures, such as those in international human rights and accountability. Public administration, with its focus on efficiency logically desires to eliminate unnecessary duplication and waste by recognizing the parallel role of new actors.

Building off Rhodes’ analysis, Jan Kooiman adds four *more* discrete usages of governance: governance as ‘sturing’ (Dutch) or steering, governance as the international order, governance as governing the economy, and governance as governmentality (in the Foucauldian sense).⁹ In explaining the *why* of governance, Kooiman comments on the growing awareness that government is not the only crucial actor and new modes of interaction are needed, defined by level and social sector. The socio-political focus on interactions is in line with the idea of ‘self-organizing’ networks put forth by Rhodes, and with the imperfectly coordinated role networks, governance becomes defined by interactions between stakeholders. Kooiman states, “In the

⁸ Rhodes, R.A.W. 1996.

⁹ Kooiman, Jan. 1999. “Social-Political Governance: Overview, Reflections and Design.” *Public Management: an International Journal of Research and Theory*. 1 (1). Pg. 68-69

mutual cohesion between the many interactions, the complexity of the governing world is realized.”¹⁰ The world is indeed substantially more complex today and social problems are increasingly interconnected, spanning jurisdictional and international boundaries, which significantly expands the number of interactions that take place in governance. Governing therefore becomes successful when parties agree that there is a concrete problem that must be solved, understand their interdependence, are willing to accept uncertainty, and to share responsibility and leadership.¹¹

Between Rhodes’ and Kooiman’s reflection on the state of governance theory, we can draw at least two inexorably linked conclusions: defining governance involves recognizing the role of networks and non-state actors, and the interaction between those actors and with the central administration. Kooiman defines socio-political governance as, “All those interactive arrangements in which public as well as private actors participate aimed at solving societal problems, or creating societal opportunities, and attending to the institutions within which those governing activities take place.”¹² If we conclude that this definition captures the main point of governance, then perhaps we can develop a theory on social organization independent of the managerial state, and make broader conclusions about how order is formed. However, George Frederickson claims that the conceptual use of governance is essentially derivative of existing perspectives in public administration.¹³ He begins by reminding us that Harlan Cleveland suggested over forty years ago that responses to future problems would be multi-organizational

¹⁰ Ibid. 75

¹¹ Ibid. 78

¹² Ibid. 70

¹³ Frederickson, George h. 2007. “Whatever Happened to Public Administration?: Governance, Governance Everywhere.” In Ferlie, Ewan Et al. (Eds.) *The Oxford Handbook of Public Management*. Pp. 2

and involve both public and private actors.¹⁴ Similar to Rhodes' observation that governance became fashionable through the rise of NPM, Frederickson acknowledges that public administration,

*“floundered because of disappointments in governmental performance, changing demographics, overly large and cumbersome governments, and several other deficits. Governance reform, particularly as seen in Great Britain, New Zealand, Australia, and the United States is modeled on various contributions of four different approaches to public administration – markets and competition, participative administration, greater flexibility, and deregulation.”*¹⁵

Markets, participative administration (e.g. ‘contracting out’), flexibility (i.e. less bureaucracy), and deregulation as we have seen, are the essential tenets of the NPM movement. We can see how governance may have assigned some degree of legitimacy to the practice of administration at a time when bureaucracy was derided as a rigid, cumbersome, and wasteful institution.

Disseminating bureaucracy down to jurisdictional divisions and horizontally to the third sector increased the salience of non-state actors which began doing the work formerly conducted by public agencies. Therefore, in a deregulatory environment hostile to centralization, saying ‘governance’ could be a way of describing public administration as, to borrow Rhodes’ titular phrase, “governing without government.” The rapid rise of NPM reforms no doubt increased the presence and coordination of third-sector networks and their recognition as public stakeholders. The rapid diffusion of the term ‘governance’ as a result lead to variable and imprecise character.¹⁶

To clarify governance, Frederickson suggests a theory in three parts, “(1) vertical and horizontal and inter-organizational cooperation; (2) extension of the state or jurisdiction by

¹⁴ Ibid. 3

¹⁵ Ibid. 7

¹⁶ Ibid. 9

contracts or grants to third parties, including sub-governments; and (3) forms of public non-jurisdictional or nongovernmental policy making and implementation.”¹⁷ Like other scholars, Frederickson’s definition shares a focus on extension of services beyond the state, which he conceives as an extension of the state itself, and horizontal or vertical cooperation, which we may interpret as interactions. However, the last of these features, non-jurisdictional or nongovernmental policy making, adds a unique aspect to governance theory, if not an overly ambiguous one considering our desire for clarity. He defines this as *public nongovernmental governance*:

*“1. policy making and implementation by nongovernmental institutions or actors that bear on the interests or wellbeing of citizens in the same way and with the same consequences as state or jurisdictional outcomes; 2. jurisdictional or systems of inter-jurisdictional regulation, oversight or accountability have limited affect.”*¹⁸

What does this add to our understanding of governance? On the one hand, it allows us to include actions not directed or overly influenced by the state in our definition, but on the other it seemingly opens our definition to any kind of unregulated activity that has the “wellbeing of citizens” in mind. Having an interpretation of governance that is not determined solely by government directed action is important to giving the concept independent theoretical standing.¹⁹ As will be discussed, this element of unregulated activity describes the position of the third

¹⁷ Ibid. 14-15

¹⁸ Ibid. 16

¹⁹ This is important because in the following discussion on formative nonprofit groups in Jordan assisting Syrian refugees, the service sector is one where the government has erected barriers to the beneficiary population. Therefore, there are existing networks of service providers that are approved to conduct their activities, but are supporting a population that nominally declared to be illegitimate. Though Frederickson’s definition of “nongovernmental governance” is in need of further precision, having a concept of governance that is responsive to social action is necessary to avoid a theoretical conflict with a government’s inaction or *non-governance* on a particular issue.

sector in governance, as an area of private activity intending to benefit the common good independently of the central administration.

The last work that bears discussion is Denita Cepiku's introduction to the governance concept. Cepiku's analysis has the added value of canvassing theoretical treatments of governance across the major language literatures of Europe, particularly those that also have a tradition of supporting work in the voluntary sector. Cepiku confirms that many definitions of governance are linked to European and American experiences with public administration reform, commenting, "contrasting governance with traditional and managerial government stays at the heart of many definitions of public governance offered by the international literature."²⁰ Noting this, we can see that even across different national audiences with different methods of administration, the concept of governance is still rooted in the experience of reform, as we have learned from Rhodes, Frederickson, and Kooiman. However, Cepiku also notes that it is easier to account for national specificities through the lens of public governance as opposed to NPM, which of course could vary widely in application across countries.

Hence, this discussion points us to a definition of governance which contains the following canon: distribution of services between state, jurisdictional, non-state, or international actors; non-state actors form self-organized networks that can carry out policy and administer services; governance and the policy environment are understood through the interactions between actors. But despite our efforts to achieve a generalizable definition of governance, our quest runs into two main problems. First, our understanding of governance is overdetermined by

²⁰ Cepiku, Denita. 2013. "Unraveling the Concept of Public Governance: A Literature Review of Different Traditions." In Luca, Gnan, Hinna, Alessandro, and Monteduro, Fabio (Eds.). 2013. *Conceptualizing and Researching Governance in Public and Non-Profit Organizations*. Emerald: United Kingdom. Pg. 15

western experiences with public administration reform. Rhodes and Frederickson demonstrate this clearly through the transition to entrepreneurial management structures, and Cepiku confirms that this interpretation is shared throughout Europe. Therefore, we must be cautious to deploy 'governance' in a way that is not synonymous with western entrepreneurial government. This is complicated by the observation that western governments, their development agencies, and international NGOs headquartered in London, New York, and Geneva export entrepreneurial-style development to the rest of the world, packaged with terms such as self-reliance, resilience, and sustainability. Is 'governance' then truly independent from western models of administration? The second problem that arises is that there seems to be no clear way of defining types of non-government directed action as governance. Our understanding of governance is framed by the transition from state administered services to a decentralized third-sector model, implying that goals of the government and the third sector are mostly the same. However, If the third sector is providing services to constituents the government deems to be illegitimate, is that governance? If some desirable (or undesirable) public service is being provided exclusively by unsanctioned volunteer activity, is that governance? Or is it some form of *non-governance*, or government failure?

Ultimately, we can parse some of these question by focusing our attention on self-organizing networks and looking at their interactions. Certainly, a network doesn't need to government sanction to be considered 'self-organizing'. Furthermore, it seems that our definition of governance is not possible if such networks don't already exist, or have the capacity to arrange their own affairs. As we will see in the following discussion, the third sector has definitional challenges of its own, but it is through these organizations that we can see public-

directed action come to light, and we may begin calibrating our definition of governance to account for variation in the third sector.

Nonprofit, Voluntary, or Third Sector?

Approaching a working definition of the nonprofit, voluntary, or ‘third’ sector encounters many of the same difficulties as defining governance. As we have seen, the unsettled debate on governance is dependent on the third sector and its interactions with the government and the bureaucracy. Thus, the governance discussion we have covered so far takes the sector for granted without fully considering its range of functions or institutional forms. Nonprofits and charities, for example, are long established institutions in modern industrial society and the norms and structures that support them extend much further back. As the relationship between the third sector and government continues to evolve, and with our recent experience with public administration reform, it’s of great interest to policy makers and researchers to make navigable the, “uncharted social space beyond the market, the state, and the household.”²¹

In this section, we will discuss the major research that determines what the third sector contains. In many ways, this fills an important gap in the theory of governance. As we have seen, the assumed presence of self-organizing networks capable of carrying out government mandates is integral to governance. However, at any given time only a specific number of institutions are likely prepared to make that commitment, meanwhile many other smaller or even unsanctioned groups carry out work of their own that may contribute to governance. Should the third sector include mutuals, cooperatives, or even individual activities? How does that contribute to governance outcomes? What happens when a new network organizes itself around an issue that

²¹ Salamon and Sokolowski. 2016. “Beyond Nonprofits: Re-conceptualizing the Third Sector.” *Voluntas*. 27, Pg. 1517

the government has been unable to manage? Settling some of these questions is important when we consider new organizations in Jordan as a unit of analysis.

But where to start looking? Various national traditions identify the third sector differently. The UK for example, codifies much of the formal third sector as a network of “charities” and receive protection of the crown and exemption from taxation. These charities fall into four distinct categories based on poverty relief, education, religion, or activities “beneficial to the community.” However roughly only half the UK third sector is registered as charity organizations, and the rest fall into a bewildering web of other legal designations for voluntary activity.²² In France and Francophone Canada, the designation of *économie sociale* or “social economy” is used to describe the sector, sorted by three recognized forms: cooperatives, mutuels, and associations, each with its own set of laws. “Associations” form the largest group, and perhaps most closely resemble the American nonprofit model, supplying a broad range of social needs and demands.²³ In Germany, “civil society” is often deployed to describe the formal third sector.²⁴ However classification of organizations often falls between two systems of law, public law and civil law, often leading to confusion in the classification of new organizations. Consequently, there is a series of provisions that identify three key groups of third sector organizations, the so called “ideal” organizations, certain limited liability companies, and foundations.²⁵ In the United States of course, the word “nonprofit” is a household name. Nonprofits are usually classified as 501(c)3 tax-exempt corporations and organizations that provide services ranging from arts and entertainment to legal advocacy are all included in this

²² Salamon, Lester M. and Anheier, Helmut M. 1997. *Defining the nonprofit sector: A Cross-National analysis*. Manchester University Press: Manchester, pg. 17

²³ Ibid. 20

²⁴ Salamon and Sokolowski, 2015. Pg. 1527

²⁵ Salamon and Anheier, 2001. Pg. 18

status. As we shall see later, in Jordan and elsewhere in the Arab world, the oldest third sector organizations are classified as “voluntary societies.” Jordan also has a rather variable system of registering foreign and domestic “NGOs”, which usually labels organizations involved in some form of public or political advocacy. A legal designation for “non-profit companies” also exists for those with a more service or distribution oriented mission. The question is, do these different national traditions indicate the existence of some alternative “third sector”, or is the term just a subjective understanding of a gradient of various private and public activities?

Lester M. Salamon’s has dedicated much of his work to making the definition of the third sector operational. Setting those boundaries inevitably raises serious questions about the range of institutions that exist independently from the market and government. Comparability is also challenged by differing legal regimes as seen above. Following on the major advancements of the John Hopkins Comparative Nonprofit Sector Project and the EU funded Third Sector Impact Project, Salamon and Sokolowski evaluated third sector entities based on breadth, sensitivity, clarity, comparability, operationalizability, and institutionalizability.²⁶ Using this framework, they gathered results from a bottom-up interview process, covering the enormous diversity in the way the third sector is used. Drawing out the characteristics of interest, they define the third sector as a set of institutions and actions that are private, serve the common good, and involve free choice, with an emphasis on voluntary activity at its core.²⁷ Four distinct clusters of third sector institutions exist within this framework: nonprofit organizations; mutuals and cooperatives; social enterprises; and human actions such as volunteering. The latter three of these groups are considered outside the “core” of nonprofit institutions, but still within the limits of the

²⁶ Ibid.1523

²⁷ Ibid

third sector.²⁸ Nonprofits comprise the single largest – or perhaps the most recognizable – group in this sector, and according to authors they must be private, self-governing, and non-profit distributing.²⁹ Nonprofits of course make profits in excess of their operating costs, either through superfluous donations or from business-like activities, but they must be legally prohibited from distributing profits among shareholders.³⁰

Salamon and Sokolowski also emphasize that participation or activity in third sector institutions must be non-compulsory and that organizations must be self-governed. Entities must also be able to own assets, incur liabilities, and engage in transactions.³¹ Nonprofit organizations of course receive much of their revenue from government contracts, some even make most of their money working on behalf of government.³² However, organizations must show some degree of financial autonomy, and self-direction in determining their mission and purpose. Different national traditions show various levels of government involvement in the third sector, leading to different paradigms of nonprofit-government interactions. Salamon (1999) distinguishes types of third-sector-government relationships. Liberal, government dominated, and partnership models. The level of involvement effects the independence of the sector, but also its effectiveness of guaranteeing the rights of citizens to access services. Authoritarian regimes are highly suspicious of the third sector, and are likely to restrict the field to prevent a threat to

²⁸ Ibid. 1530

²⁹ Ibid. 1528

³⁰ “Nonprofit” in addition to British “charities”, French “associations”, German “ideal associations”, and Arab “voluntary associations”, all share the characteristics of being non-profit distributing, non-compulsory, and tax exempt organizations. Therefore, for my purposes, “nonprofit” here will be considered synonymous these categories.

³¹ Ibid. 1534

³² Salamon, Lester M. 2006. “Government-Nonprofit Relations from an International Perspective.” In *Nonprofits & Government: Collaboration & Conflict*, 2nd ed., edited by E. Boris and C. E. Steuerle Washington, DC: The Urban Institute Press. Pg. 338

the regime.³³ Given the autonomy expected of the third sector, even under conditions of heavy government involvement, it must be self-directed and demonstrate clear institutional divisions. The self-organized aspects of third sector networks underwrites an important criteria of governance theory. However, that theory does not acknowledge variation in government involvement, framing all types of government-third sector interaction as cooperative.

We've considered what organizational forms exist in the third sector, and how different levels of government involvement influence it. Young (2006) divides the sector by what organizations actually do, classifying nonprofits by three distinct roles: supplementary, complementary, and adversarial.³⁴ Supplementary organizations fill demand for public goods not met by the state. Complementary organizations form a contractual partnership with the government, adding value to existing services. Lastly, adversarial – better known as advocacy – organizations are characterized by their criticism of government policy, and can promote policy changes. Having identified these discrete groups, Young proceeds to show how different iterations of nonprofits or voluntary organizations have evolved throughout American history. In the late nineteenth century for example, when welfare institutions were not yet well developed, many charitable organizations were privately funded by wealthy industrialists, filling a supplementary role providing necessities and promoting education. Complementary relationships between private organization and the federal government can be traced back to the early republic, with the government offering support to universities and hospitals to improve quality. Young notes that as the relationship between the nonprofit sector and the government grew,

³³ Ibid

³⁴ Young, D. 2006. "Complementary, Supplementary or Adversarial? Nonprofit-Government Relations?" In *Nonprofits & Government: Collaboration & Conflict*, 2nd ed., edited by E. Boris and C. E. Steuerle Washington, DC: The Urban Institute Press 41-42.

especially in the 1960s and 1970s, so too did government attempts to regulate the sector. This lead to a rise in collective action among nonprofits to maintain their independence:

“It appears that, through various regulations and restrictions, government has attempted to restrict the activities of nonprofits and hold them accountable to the public. Reciprocal efforts by private interests, through the ongoing formation and development of voluntary associations, have served to hold the government to account, to influence the direction of public policy, and ultimately to protect the nonprofit sector itself from attack.”³⁵

Young’s analysis shows that third sector networks are defensive of their independent status. As we will see in Jordan, the government has made many attempts to subordinate the sector to oversight, especially during times of crisis. In the United States, attacks on private institutions and foundations are perhaps less authoritarian but also no less frequent. Even as late in the 1990s, Republican congressmen repeatedly tried to pass the Istook amendment that would ban nonprofits from lobbying, thus shielding policy making from third sector advocacy.³⁶

Why are nonprofit organizations useful service providers? According to Laura Mariani and Dario Cavenago (2013), “Their smaller dimensions relative to state bodies allow a greater capacity to adapt and answer needs; their closeness to the social context also facilitates the involvement of the local community, which in some cases determines the success of the undertaking.”³⁷ In many cases, organizations emanate from the community itself, expressing its preferences for access to services. Marie and Derrick-Mills (2015) explain that nonprofits also compete. Third sector competition is not something accounted for in governance theory, however it is very much in line with the entrepreneurial principles of NPM. Competition can be identified in the relationship

³⁵ Ibid. 57

³⁶ Ibid. 56

³⁷ Mariani, Laura & Cavenago, Dario. 2013. “Redesigning Welfare Services for Policies Effectiveness.” *Public Management Review*. 15(7), pg. 1016

with the government, resource types, beneficiary types, types of organizations, and scope.³⁸ Organizations can compete for official grants or tax privileges, which ensures their ability to continue operation. Nonprofits also compete to innovate and serve constituents better, and Versheure and Beddeleem (2013) show that innovation is an important way for nonprofits to increase efficiency and legitimacy among the intended population.³⁹ The more specialized the skill set and the fewer other organizations active in the service area determine the level of competition.⁴⁰ Competition introduces an aspect of third sector activity that is yet to be fully explored: that of market entry. If understood from an economic perspective, a competitive market for nonprofit and government services should lead to an *equilibrium* in cost and access. Demand for services in this case is driven by social norms or physical needs. Thus, new organizations will likely form in conditions of high need and low competition. As we will see in the case of Jordan, new organizations have emerged to handle a refugee problems which the existing sector cannot fill because of resource and political constraints.

Monica Krause's (2014) work on international nongovernmental organizations expands on the economic behavior of the sector.⁴¹ Thus far we've considered the third sector in terms of nonprofit service providers at the national level, but international "NGOs" are enormous actors that likely outnumber local organizations in some developing countries. Krause models her approach on Bourdieu's theory of practice, showing that relief work is based around a shared set

³⁸ Marie, Teresa and Derrick-Mills. 2015. Exploring the Dimensions of Nonprofit Competition through its Supplementary Complementary, and Adversarial Relationships with Government. *Nonprofit Policy Forum*. 6(2): 2

³⁹ Versheure, Bram & Beddeleem, Eline. "Organisational Governance Features, Innovation and Performance in Non-Profit Organisations: Existing Evidence and Future Research Directions." In *Conceptualizing and Researching Governance in Public and Non-Profit Organizations*. Luca, Gnan, Hinna, Alessandro and Monteduro, Fabio (Eds.). 2013. Emerald: United Kingdom.

⁴⁰ Marie and Derrick-Mills. 2015. Pg. 253

⁴¹ Krause, Monica. 2014. *The Good Project: Humanitarian Relief NGOs and the Fragmentation of Reason*. Chicago: University of Chicago Press.

of practices that form the basis of production.⁴² Production in this case results in the “project”, the point at which the labor and capital of the NGO is transformed into a new commodity.

Krause suggests that consumers of this commodity are donors, who choose from a market of projects produced by NGOs that suit their preferences:

*“Institutional donors pay for specific projects with specific aims in specific fields of expertise and in specific places based on what they think is important. Donors thus pay agencies for projects. They pay so that something is done, and they pay for the opportunity to be able to say they supported that something was being done.”*⁴³

This presents a utilitarian view of the third sector, one in which the market for humanitarian relief is determined by the preferences, tastes, or normative intentions of donors. However, this market is not dictated by the pursuit of profit, but rather “making a difference” and “adding value” for beneficiaries forms the justification for launching new projects.⁴⁴ Therefore we can conclude that there is market based on the moral or normative desire to increase the wellbeing of others, observed by the transactions between producers and consumers of humanitarian projects.

Following the transaction between the donor and the NGO as the suppliers of projects, it follows demand for projects is a function the donor’s budget and preferences for giving. However, it is pertinent to question this assumption. Is demand for projects calibrated to the availability of donor capital, or by the NGOs’ understanding of what beneficiaries want or need? If there were no donors, would there still be demand for projects? Projects can either reflect what donors *believe* beneficiaries need, or they are measured by beneficiaries’ marginal preferences for goods and donors subsidize a socially desirable level of consumption. These questions

⁴² Ibid. 23

⁴³ Ibid. 48

⁴⁴ Ibid. 35

however need further empirical testing. Ultimately the donor is a crucial factor in governance not yet considered from the third sector perspective. Krause argues that both the donor and NGO itself have normative intentions for production of humanitarian projects. The NGO is an obvious third sector actor in humanitarian governance, as are governments that participate in the implementation of projects, but the donor ultimately enables the project to be carried out. We may also include small-scale donors in governance because they are necessary consumers (or subsidizers) of projects. It is also worth noting that states can be consumers of projects too, sometimes the primary consumers in countries with heavy government involvement in the third sector.

What Krause demonstrates is that there is a *moral economy* or *moral market* for humanitarian projects. The metaphor of the market helps us understand the third sector by explaining the motivation of new firms to enter the field. Governance theory assumes the third sector already exists to carry out policy, but the market describes how new sector entities *originate* to address unfilled needs. Severyn Bruyn adds clarity to the market analogy suggesting that ‘civil markets’ emerge through third sector organizations that coordinate social and economic interests to regulate competition in the marketplace.⁴⁵ Through Krause we identify the market through the commodity of interest, i.e. the project. I argue that the market for projects is a ‘civil’ or ‘moral’ market of its own, regulated by professional standards and ethics, and based on a desire to “do good” with no expectation of material return. The nonprofit start-up provides a service that is normatively desired by society in material or immaterial form. New firms access capital from donors and private volunteers to provide much of the resources for a new project or

⁴⁵ Bruym, Severyn T. 1999. “The Moral Economy.” *Review of Social Economy*. 57 (1), pg. 44

intervention. Private (for profit) markets only offer services when an efficient price can be charged to cover marginal costs. The non-profit start-up requires minimal capital inputs, and can attract volunteer labor based on the desire to “make a difference” rather than wages. The firm can further seek private investment to meet its budget constraints.

In this discussion, we have clarified what comprises the third sector. To restate Salamon and Sokoloski, the third sector is a collection of organizations and individual actions that are private, involve free choice, and serve the common good. We’ve also established that the nonprofit core of the sector can be distinguished between supplementary, complementary, and adversarial (advocacy) institutions and that non-profits compete to achieve better outcomes for beneficiaries. Lastly, we conclude that the rationale for entering the third sector involves a *moral market* for projects: a social desire to “make a difference”, or in Salamon’s words, to “serve the common good.” The third sector can be explained rather well through the metaphor of the market if we acknowledge a motive to serve the public interest, or counter certain social harms. This mode of entry will help us understand why new organizations have overcome material limitations to serve the refugee population in Jordan. Forming a new nonprofit or NGO inevitably carries significant cost, new groups can overcome them by receiving a large endowment or establishing an operation with low overhead. The activity in this *moral market* describes how new actors interact with primary institutions in governance. Next, we will zoom out to consider a whole branch of third sector institutions, and their public and private partners: the refugee regime. Following an overview of the regimes functions we will try to derive an understand *refugee governance*.

The *Refugee Regime* and Governance

The “refugee regime” refers to a broad network of non-governmental, non-profit, and international institutions which are responsible for the governance of the world’s stateless and displaced peoples. The regime was constituted in 1951 by the Geneva Convention on the Status of Refugees which created the UN High Commissioner for Refugees (UNCHR) to be responsible for guiding its implementation. The rights described in the convention are comprehensive, but states have considerable leeway in compliance with the document’s provisions. Other multilateral organizations and International NGOs assist in carrying out the UNHCR’s mandate and distributing material aid. The legal systems of states and local social service sector also define the success of the regime’s implementation at the national level. These systems work together and overlap, crossing numerous sectoral boundaries. Therefore, refugee regime governance reflects the coordinated (or uncoordinated) interactions between these government and third sector actors. Defining governance in this context relies less on a central authorizing state, and instead on a decentralized model of UN-state-third sector relations. In this section, we will consider the history of the regime, and how it developed as an inter-sectoral arrangement of institutions dedicated to carrying out this mission. We will also consider the critique that the regime is dictated by state interests in preventing migration.

The social norms supporting sanctuary and protection for the dispossessed are ancient indeed. Linda Rabben (2016) shows that notably in the traditions of ancient Greece, Rome, Arabia, and Judaism, the temple or holy site honored the invocation of sanctuary.⁴⁶ In the Middle Ages, church sanctuary was an inviolable institution throughout Europe, until it was abolished in

⁴⁶ Rabben, Linda. 2016. *Sanctuary and Asylum: A Social and Political History*. Seattle: University of Washington Press; Marfleet, Phillip. 2006. *Refugees in a Global Era*. Houndmills: Palgrave Macmillan, pg. 98

England in 1624, possibly the first time the practice was formally outlawed by the state.⁴⁷ However, despite the profound human history of sanctuary and asylum that underwrites sympathy for the dispossessed, it is crucial to note that many consider the ‘refugee’ to be thoroughly modern creation the nation-state system.⁴⁸ Hannah Arendt explained over 60 years ago, that the ethnically homogenous nation-state justified the expulsion of “minorities”, and consolidated rights within the culturally dominant group.⁴⁹ As she put it, “The new refugees were persecuted not because of what they had done or thought, but because of what they unchangeably were – born into the wrong kind of race or the wrong kind of class or drafted by the wrong kind of government...”⁵⁰

Many authors ascribe to this view and recent publication has verified many of Arendt’s claims. In the nineteenth century, European countries flexibly granted asylum to politically persecuted individuals, but this *laissez-faire* regime was withdrawn when volume of persecuted had grown. As Phillip Marfleet (2006) notes, the racialization of ‘oriental’ migrants and refugees and aversion to newcomers becoming a cost to the state led to the implementation of immigration controls and restrictions.⁵¹ The Great War massively increased displacement throughout Europe and the Middle East, and relocation schemes, such as the exchange of peoples from Greece and Turkey authorized by the treaty of Lusanne in 1923, also artificially created mass upheavals. The newly formed League of Nations was compelled to appoint an agent to manage the crisis, and “relied upon private philanthropic bodies and NGOs,” to administer

⁴⁷ Rabben, 2016. Pg. 53

⁴⁸ Marfleet, 2006. Pg. 98

⁴⁹ Arendt, Hannah. 1958. *The Origins of Totalitarianism*. 2nd ed. New York: Meridian Books, 269, 294; Zolberg, Astride R., Suhrke, Astri, and Aguayo, Sergio. 1989. *Escape from Violence: Conflict and the Refugee Crisis in the Developing World*. New York: Oxford University Press. Chapter 1.

⁵⁰ Arendt, Hannah, 1958. Pg. 294

⁵¹ Marfleet, 2006. Pg. 123

relief.⁵² Peter Nansen, the first high commissioner of refugees, conducted a census and worked primarily through passports and travel documents to assist refugees with repatriation or settlement. States however, provided little assurances that such admittance would be honored.⁵³

It was during this period that many humanitarian organizations formed to alleviate suffering where existing capacity would not suffice. A nascent third sector was emerging, propelled by public sympathy to handle the growing volume of war refugees and persecuted peoples. The Hebrew Immigrant Aid Society (HIAS) for example, founded in New York in 1881 and still active today, began by offering income and housing support for Jewish immigrants escaping violent pogroms and poverty in Russia. Peter Gatrell (2013) shows that during the Great War, organizations were formed and community actions taken from Russia to Great Britain to shelter people fleeing the front lines. In England, private charities and individuals assisted Belgian refugees crossing the strait. In economically backward Russia, local authorities and charities provided essentials for refugees, and civic buildings were transformed into makeshift shelters. In Austria and Holland, where refugees were consolidated in camps, private benefactors and volunteers targeted vulnerable populations for assistance, especially young or pregnant women. Humanitarianism was becoming a career choice. Many young nurses, lawyers, businessmen, and others were recruited by the Serbian Relief Fund to assist refugees and promote the Serbian cause. The American Relief Association, dispatched in 1919 to supply material relief to Europe, launched the careers of key humanitarian professionals like Spurgeon Kinney, who assisted displaced persons after the Second World War with the YMCA, and Arthur Ringwald and Maurice Pate, core founders of CARE and UNICEF respectively.⁵⁴

⁵² Gatrell, Peter. 2013. *The Making of the Modern Refugee*. Oxford: Oxford University Press, pg. 54

⁵³ Ibid. 54-56

⁵⁴ Ibid. 40

A better-defined regime emerged in the aftermath of World War II. Europe was mired in the worst refugee crisis in modern history. Millions of people were displaced by bombing, occupation and violence and the allied advance liberated millions of Jews and prisoners from Nazi death camps. The infamous Displaced Persons (DP) camps were spread throughout Europe, and International agencies and NGOs imported assistance to refugees. Most were expected to sort out their own return with assistance from the UNRRA, formed in 1943 to assist in repatriation. B.S. Chimney shows that the UNRRA often aggressively pushed people to accept repatriation, and Gatrell notes that around 1.5 million Poles, Lithuanians, Ukrainians, and others refused to return.⁵⁵ The US was dissatisfied with the UNRRA's cooperation with the Soviet Union, which was eager to repatriate citizens as well as dissidents. In 1947, the International Refugee Organization was formed to resettle the 'surplus population' of Europe, and hundreds of thousands were relocated to new countries. The IRO was backed by primarily American capital and could select its own membership independently from the United Nations, a move intended to exclude the Soviet Union from its management.⁵⁶ Its charter officially defined a refugee as an individual fleeing political persecution, deliberately omitting provisions for *en bloc* protection. James Hathaway (1990) explains how this choice was rooted in deference to principles of personal (as opposed to economic) liberty, and preferred refugees who held western political values, shifting the interest away from humanitarianism.⁵⁷ The definition operated on no conditions of proof of humanitarian need, but only established fear of 'persecution' due to

⁵⁵ Gatrell, 2013; Chimni, B.S. 2008. "From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems." *Refugee Survey Quarterly*. 23 (3), 57.

⁵⁶ Karatani, Reiko. 2005. "How History Separated Refugee and Migrant Regimes." *International Journal of Refugee Survey Quarterly*, 29 (1), 517-541

⁵⁷ Hathaway, James C. 1990. "A Reconsideration of the Underlying Premise of Refugee Law." *Harvard International Law Journal*. 31 (1), 142-143.

ideological disagreement with the state.⁵⁸ A strategic design to justify resettlement of refugees who opposed communism.⁵⁹

When the termination date of the IRO's mission drew near, it was clear the refugee crisis in Europe would need a longer-term solution. At the Naples conference in 1950, the ILO put forth its plan to create a comprehensive migration regime connecting refugees with labor needs abroad and supervising the resettlement process.⁶⁰ Reiko Karatani (2003) argues that the ILO plan conflicted with US intentions in two ways: it created a multi-lateral framework that would challenge established immigration law, and would include cooperation with the Soviet Union. Congress had approved 10 million dollars for relocation on the condition that the funds not be used in organizations which included communist countries.⁶¹ Without US funding and support there was no hope for the ILO plan, and the US sought the creation of a new temporary organization that would minimize costs and effectively use the IRO's physical assets.⁶² The UNHCR was created in 1951 to uphold the legal mandate under the Refugee Convention, and serve in limited capacity to finish the IRO's resettlement efforts. The refugee crisis in Europe was eventually resolved, and the DP camps cleared, but the problem of displacement had only grown in the rest of the world. The western-centric and individualistic definition of a refugee under the convention limited the UNHCR's ability to implement protection for refugees in Africa and Asia, and Hathaway argues that allowing its expansion served western interests by localizing refugee movements, thus preventing migration to western countries.⁶³

⁵⁸ Ibid

⁵⁹ Karatani. Pg. 530

⁶⁰ Ibid. 533

⁶¹ Ibid. 535

⁶² Ibid. 532

⁶³ Hathaway, 1990. Pg. 158

The limitations imposed on the UNHCR since its inception prevented it from comprehensively covering refugee crises, and since the beginning it has involved the work of the third sector. Organizations that emerged from previous conflicts like Save the Children and the ICRC were instrumental in providing relief, and new organizations such as OXFAM and CARE emerged as major development and humanitarian actors. The refugee regime therefore consists of many third sector-government interactions which are centrally coordinated by the UNHCR. Alexander Betts (2010, 2011) depicts the layers of what he refers to as the ‘refugee regime complex’, showing the way in which multiple nested and parallel regimes, with their corresponding institutions, intersect in scope and purpose.⁶⁴ The humanitarian regime, the human rights regime, the travel regime, the refugee regime, and the emerging migration regime overlap to fill certain functions in refugee governance, complementary or oppositional ways. The human rights and humanitarian regime for example provide much in terms of complementary material assistance and advocacy, and the travel and migration regimes can enable or prevent refugees’ settlement in other countries. The UNHCR works as an ‘itinerant actor’, using issue linkage with other regimes to expand its mandate.⁶⁵ Betts argues that the UNHCR expands into other sectors to “make itself relevant” to states, but also because of the complexity of the problem requires linkages and coordination with many other actors, leading to sectoral competition. As we have seen, third sector institutions compete to innovate and improve impact, although some have expressed concern about the over-extension of the UNHCR’s mandate.

The refugee regime complex has been subjected to considerable critique. As we have already discussed, authors such as James Hathaway, B.S. Chimni, and Reiko Karatani have

⁶⁴ Betts, Alexander. 2010. “The Refugee Regime Complex.” *Refugee Survey Quarterly*, pg. 13

⁶⁵ Betts, Alexander. 2011. “The Implications of global migration governance on the UNHCR.” In, *The Migration Displacement Nexus*. Koser, K; Martin, S (Eds.). Berghan Books. Pg. 241

pointed out historically the western liberal biases of the regime. These scholars and many others have argued that the regime creates a policy of *non-entrée*, non-arrival or containment, aimed to restrict movements of southern peoples and deter migration to northern countries. Stephen Castles (2007) believes this pattern is endemic to world systems of inequality that divide the global north and south. Social transformation in the south driven by globalization and income inequality, and de-industrialization and demographic change in the north, result in the converging flow of labor migrants and asylum seekers known as the “migration-asylum nexus.”⁶⁶ However western systems of distinguishing refugees from labor migrants to merit certain immigrants over others are breaking down:

“The vagaries of government policies, which are often very short-term in their aims and approaches, can prove weaker than the transnational forces that sustain migration. To some extent, therefore, the migration-asylum nexus is a self-fulfilling prophecy: by ignoring the fundamental causes of migration and treating all entrants with suspicion and restrictiveness, governments themselves help to erode the distinction between economic and forced migration, which is a cornerstone of their policies.”⁶⁷

The north’s inability to address the root causes of migration and resorting to restrictive policies degenerates the definition of persecution that distinguishes refugees. Instead, asylum seekers (*De Facto* refugees) are treated with suspicion and are rejected using the same mechanisms intended to assist them. Betts (2010) verifies this view by showing that states reduce refugee burden sharing responsibilities by using ‘regime shifting’, addressing problems through a parallel regime to circumvent political constraints, and ‘forum-shopping’, selecting an international venue where best to promote policy preferences.⁶⁸ Governments can ‘shift’ to the migration regime to ratify

⁶⁶ Castles, Stephen. “The Migration-Asylum Nexus as Regional Approaches.” In Kneebone, Susan and Rawlings-Sanaei, Felicity. 2007. *New Regionalism and Asylum Seekers: New Challenges Ahead*. Berghahn Books. Pg. 33

⁶⁷ *Ibid.* 30

⁶⁸ Betts, 2010. 20-21

agreements that prevent emigration from origin countries, and to the travel regime by altering the discretionary standards of asylum to disqualify claimants without violating the provision of nonrefoulement.⁶⁹

Michele Agiers (2011) examines the *non-entrée* regime through the deployment of the refugee camp. Camps physically limit the mobility of refugees, effectively denying them the right to live where they choose. This literal containment is motivated by state aversion to immigration and urban-encumbrance, protecting itself from the unplanned introduction of “undesirable” aliens. Thus, the refugee regime enables this by containing the “undesirables” in refugee camps, revoking their humanity and right to choose and direct their own affairs.⁷⁰ Indeed, the refugee camp is the most demonstrable aspect of the *non-entrée* regime. Michael Kagan (2007) shows how governments in Africa exploit the dual systems of refugee law to confine refugees in rural areas to camps, shifting the responsibility to the international community to house and care for them. They use Refugee Status Determination i.e. individual asylum proceedings, to authenticate the claims of refugees who move to cities, effectively treating them as unauthorized immigrants.⁷¹ Many have also noted that the refugee regime demonstrates a bias toward refugee camps as a solution. Verdirame and Barbara Harrell-Bond (2005) argue that humanitarian agencies see refugee camps as spaces for the efficient distribution of aid, thus putting cost-effectiveness over refugee autonomy.⁷²

⁶⁹ “nonrefoulement” is the cornerstone article of the refugee convention that states without exception that a ratified state cannot deport a refugee or legitimate asylum claimant to their country of origin unless they voluntarily repatriate.

⁷⁰ Agiers, Michele. 2011. *Managing the Undesirables: Refugee Camps and Humanitarian Government*. Cambridge: Polity.

⁷¹ Kagan, Michael. (2007). “Legal Refugee Recognition in the Urban South: Formal v. de Facto Refugee Status,” *Refuge*, 24 (1), pp. 11-26

⁷² Verdirame, G. & B. Harrell-Bond. 2005. *Rights in Exile: Janus-Faced Humanitarianism*. Oxford: Berghahn, pg. 388

According to another critique, the ‘durable solutions’ put in place by the convention are precarious and selective.⁷³ B.S. Chimni carefully reviews the UNHCR’s biased application of these solutions based on western policy objectives, concluding that voluntary repatriation, the ‘ideal’ solution, is also used as a containment measure.⁷⁴ Resettlement is almost unheard of – the UNHCR claims that it is suitable only for the 1 percent of refugees “most in need” – and as we have seen, local integration is impossible when states exclude refugees from labor market or by requiring them to live in camps. To enable mass ‘voluntary’ repatriation the UNHCR needs to confirm that the country is safe for return. This involves a rather dubious assessment of local conditions colored by states’ eagerness to conclude a crisis. Chimni highlights the case of Zimbabwe, when the country was declared “safe” many were coerced to return, only to face more death and abuse. Similarly, in Somalia in 1995, the UNHCR and US peacekeeping mission began organizing the repatriation of refugees. Catherine Besteman notes that, “The much-publicized international peacekeeping mission had the contradictory effect of enhancing violence in the [Juba] valley rather than reducing it.”⁷⁵ Many repatriated refugees suffered as a result and were forced to return to camps in Kenya.

What does the history and critique of the refugee regime say about its governance? Is it a cynical apparatus fully determined by western interests to stem the tide of unwanted migration, while nominally upholding the ideals of liberal values? Or is it a truly humanitarian endeavor, intending to do right by the world’s dispossessed, even though politics and biases get in the way? To answer this question, it is best to take a practical view. Underwriting the refugee regime is a

⁷³ The three durable solutions for refugees according the UNHCR are voluntary repatriation, local integration into the country of first asylum, and resettlement to a third country.

⁷⁴ Chimni, B.S. 2004. “From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems.” *Refugee Survey Quarterly*. 32 (1), pp. 55-73

⁷⁵ Besteman, Catherine. 2016. *Making Refuge: Somali Bantu Refugees and Lewiston Main*. Durham: Duke University Press, pg. 52-53

moral framework based on the ancient norms of sanctuary. This helps explain why the regime has public support and why it advocates for the displaced as a matter of professional purpose, as Krause notes, “professional standards, professed values, and public expectations encourage professionals in NGOs to give first and foremost to those most in need regardless of nationality, creed, or race or ethnicity.”⁷⁶ The reality of displacement however, does not reflect the individualistic or liberal aspects of the refugee definition. Rather refugees are generated by the ongoing conflicts of the nation-state system and social upheaval caused by globalization. States therefore have a dual imperative to uphold their values by empowering the regime, but also to redirect its resources to contain migrants in volatile regions. Governance in the construction of the regime represents the myriad interactions between state, multilateral and non-state actors who contribute to material assistance and advocacy and the third sector has had an instrumental involvement since the beginning. Though the UNHCR is accountable to the general assembly of the UN, much of the work is carried out by partner organizations that are privately owned and operated.

By taking the refugee regime as a case of governance, we may conclude that it is coherent, but inefficient. State policies in the north and south often hinder the regime’s implementation and limit protections. Avoiding burden-sharing makes it impossible to properly respect refugees’ rights. This exposes several major weaknesses, notably in the case of urban refugees, who are often delegitimized by governments and may avoid direct contact with regime representatives. Consequently, they are a high-needs group that often lives in the shadows and on the margins of cities and towns. To study governance in this case involves a much smaller set of third sector actors among local nonprofits and voluntary organizations. As we will see, refugees

⁷⁶ Krause, 2014. Pg. 27

that are excluded from official recognition are primarily assisted by a lower level of the third sector that operates independently from the formal refugee regime. The government of Jordan has variously tolerated and ignored the problem of refugees, preferring to limit them to camps, but local actors aren't constrained by this political balancing-act. Their objective is to help those who need it most and they have each in their own way found important services to provide. The following is a discussion of Jordan's history with the third sector and refugee regime, and how its exclusionary policies developed.

Jordan, the Refugee Regime and the Third Sector

Like its neighbors, the Hashemite Kingdom of Jordan was carved out of the local region by colonial powers after the Great War, and a constitutional monarch was installed by the British. Its economy and culture are traditionally linked the *Sham*, or greater Syria, and to Palestine, and the fate of these places has impacted Jordanian society immensely. Its geography and early political history made it a cross-roads for migrating peoples escaping the Middle East's conflicts. Hundreds of thousands of Palestinians were displaced to Jordan in 1948 and again in 1967. Jordan was also a refuge for persecuted Iraqis during the 1990s and a during the American invasion of 2003. In 2011, Syrians began fleeing to Jordan from civil war and now number between 600,000 to more than one million. Consequently, a majority of Jordan's population are current and former refugees. Early organizations and "voluntary societies" expanded considerably during refugee and other economic crises, and regulations were developed to govern the third sector. Political organizations also gained strength as economic strain pushed the country toward democracy, but the state has consistently sought to subjugate the sector in times of instability. In this section, we will see how these crises and the third sector interact through Jordan's history, and lastly how the government today interacts with the refugee regime.

The first voluntary organizations in the Arab World began in the early 19th century under British and French influence and expanded in the 20th century in the wake of Arab independence movements.⁷⁷ In Jordan, the first voluntary society was founded in the city of Madaba by the orthodox community and many new organizations emerged along confessional lines. Several more charities were established in the 1920s and 30s to help the needy, and the first legislation to regulate the third sector was filed in 1932. The first political NGO, the Jordanian Youth League, was founded in 1937 to raise awareness for the Arab cause during the first Palestinian revolt.⁷⁸

The Nakba or “disaster” in 1948 brought a new wave of needs as Palestinians fled to the West and East Bank. Local individual and organized efforts formed to distribute food, orphan care, and other necessities before the international community intervened and UNRWA was established. The growth of these organizations was enough for the government to attach a new Department of Voluntary Societies to the Ministry of Health.⁷⁹ Regulation of the third sector was formalized under law no. 36 of 1953, delegating the oversight of poverty relief, education, and refugee relief organizations to the Ministry of Social Affairs (MOSA).⁸⁰ The Voluntary Associations Law of 1956 further standardized regulatory procedures and articulated divisions between organizational types.⁸¹ There was a near doubling of the sector between 1954 and 1959, increasing from 56 local and 20 foreign NGOs to 107 and 19. At its annual symposia, MOSA established the official definition of the voluntary movement as, “service to others, especially

⁷⁷ Kandil, Amani. 2004. “Civil Service in the Arab Region.” *Nonprofit and Voluntary Sector Quarterly: Supplement*. 33(4), pp. 42-43

⁷⁸ Harmsen, Egbert. 2008. *Islam, Civil Society and Social Work Muslim Voluntary Associations in Jordan: Between Patronage and Empowerment*. Amsterdam University Press: Amsterdam, pg. 150

⁷⁹ Ibid. 152

⁸⁰ Bint Talal, Basma. 2004. *Rethinking an NGO: Development, Donors and Civil Society in Jordan*. I.B. Tauris: London, pg. 45

⁸¹ Harmsen, 2008. Pg. 152

those who cannot help themselves, without discrimination between ethnic or religious groups of the population.”⁸²

Martial law was imposed in 1957 and the state outlawed certain critical organizations such as the Arab Women’s Federation.⁸³ Nevertheless, the third sector continued to establish itself, albeit with increased government control. The General Union of Voluntary Societies (GUVS) was officially formed in April 1961 under MOSA, a pseudo-governmental umbrella group which all NGOs are required to Join.⁸⁴ GUVS, which is still the main representative body for local NGOs, operates with an independently appointed leadership and advocates for the voluntary movement within MOSA. Continued growth during the 1960s led to the establishment of more Islamist organizations and charities. The Muslim Brotherhood’s social wing formed the Islamic Center Charity Society (ICCS), which is still Jordan’s largest charitable organization.⁸⁵ Drought in the mid-60s increased the need for food relief met by the third sector, and 34 new organizations were formed in 1965 alone.⁸⁶ MOSA had a congenial relationship with the sector during this period, but it complained that the expanding number of organizations were not acting with its oversight. Thus, the Law on Voluntary Societies and Organizations no. 33 of 1966 was established to bring them under its supervision. This is the most long-standing law governing the third sector in Jordan, and Karim Elbayer (2005) considers it, “one is one of the oldest and most arbitrary NGO laws in the Middle East.”⁸⁷ Under this law MOSA has the power to attend any meeting or inspect any NGO document, and it can arbitrarily dismiss the board and implement a

⁸² Bint Talal, 2004. Pg. 46

⁸³ Harmsen. 153

⁸⁴ Bint Tilal, 51; Harmsen, 152

⁸⁵ Harmsen, 153

⁸⁶ Ibid, 154

⁸⁷ Kareem Elbayer. 2005. “NGO Laws in Selected Arab States.” *International Journal of Non-for-Profit Law*. 7(4), pg.

“temporary management board” to oversee its operations. However, Elbayar suggests this has not overly impacted the third sector’s development because the state has seldom enforced its most extreme provisions.⁸⁸

The Six Day War in 1967 war displaced 350,000 more Palestinians to Jordan as Israeli forces occupied the West Bank. The influx of refugees created a bottleneck in socio-economic resources, and development in the Jordan Valley ground to a halt, generating new need for voluntary assistance.⁸⁹ The war also brought the Palestinian Liberation Organization (PLO) which established Jordan as its headquarters and began influencing political life in the East Bank. However, the events of Black September and the expulsion of the PLO in 1970-1971 uprooted the portion of civil society characterized by Palestinian nationalism.⁹⁰ The 1970s also brought the so-called ‘oil-boom’ years which were a time of rapid growth and development of a consumer society. Many Jordanians and Palestinians left to take well-paying jobs in the Gulf, especially in Kuwait.⁹¹ Expatriation of local citizens created labor shortages and increased immigration and large remittance transactions raised commodity prices. Land sold at higher premiums, reducing the stock of farmland, and immigrant labor fueled a construction boom of high-end apartments that further increased land prices. In the nonprofit world, the emphasis began to shift from hand-outs to social development, and a charitable lottery was started in 1972 giving GUVS more autonomy and the ability to generate its own revenue.⁹² The first of the royal family foundations, the Queen Alia Fund, was established in 1977 and helped shift the focus to

⁸⁸ Ibid. 16

⁸⁹ Bint Talal, 55; Harmsen, 155

⁹⁰ Harmsen, 155

⁹¹ Abu-Lughod, Janet. 1983. “Social Implications of Labor Migration in the Arab World,” in *Arab Resources: The Transformation of a Society*, Center for Contemporary Arab Studies, Georgetown University, pp. 237-266

⁹² Bint Talal, 67

sustainable development.⁹³ However, MOSA's budget was reduced and it was placed under the ministry of labor in 1976, likely due to the increasing prosperity and low dependency the country was experiencing.⁹⁴

In 1979, the conclusion of the Camp David peace treaty between Israel and Egypt created more divisions in the Arab World. The Arab states convened at the Baghdad summit later that year to discuss a potential standoff with Israel, and significantly more Arab money was committed to Jordan to meet its security and development needs.⁹⁵ The early 1980s continued to be a time of growth, and MOSA increased the number of rehabilitation versus in-kind assistance projects, but things quickly began to turn downhill. The oil boom was drying up as oil prices fell, causing the Gulf states to come up short of their initial commitments. Jordan was also hit by 'structural adjustment', a requirement imposed by the International Monetary Fund on indebted countries in the developing world, and made deep budget cuts to social services to meet its balance of payments. To add to the growing list of troubles, riots broke out in southern Jordan in 1989 after the repeal of commodity subsidies, and in 1991 200,000 Palestinians were deported to Jordan from Kuwait because of the PLO's support for Saddam's invasion.⁹⁶ Facing an increase in public pressure, the government prepared to reintroduce parliamentary elections and repealed martial law.

Overall, the period between 1967 and 1989 was a time of growth in the third sector. 55.4% of current registered NGOs in Jordan (as of 2004) were formed during those 20 years.⁹⁷

⁹³ Harmsen, 156

⁹⁴ Bint Talal, 66

⁹⁵ Ibid. 57, 59

⁹⁶ Fargues, Phillippe. 2013. "International Migration and the Nation State in Arab Countries." *Middle East Law and Governance*, 5 (1-2), pp. 5-35

⁹⁷ Harmsen, 158

However, in the 1990s the growth of the sector changed in character as democratization and neoliberalism took hold. The decline in Arab funding increased dependence on foreign assistance, marking a steep increase in the number of research centers and human right groups.⁹⁸ These NGOs tended to rely heavily on western funding and drew from the educated middle and upper classes, with fewer ties to the poor and weak base of local donor support.⁹⁹ The increase in western funding amounted to somewhat of scandal, making, “local NGOs vulnerable to accusations of betraying national, Arab or Islamic interests.”¹⁰⁰ The increase in anti-western sentiment was likely compounded by falling confidence in the Israeli-Palestinian peace process and increase in support for political Islam, and a campaign against foreign funding was launched after the signing of the peace treaty with Israel in 1994. The government invoked law no. 33 more often to investigate “illegal” political activity in NGOs.¹⁰¹ Cavatorta and Elanza have argued that western funding generated political division in civil society, making it a weaker bulwark against authoritarian predations of the state:

“there is a tendency on the part of Western governments, international organizations, and large international NGOs, to select very specific types of local partners. The beneficiaries of such programs are groups that already have a strong secular ethos and conform to the message that the donors want to pass on. This further strengthens the divide within civil society because funding is directed exclusively to them, excluding others, which reinforces the idea that the country is facing a domestic confrontation between Islamists, Christians, and secular groups.”¹⁰²

⁹⁸ Bint Talal, 81, 86

⁹⁹ Harmsen, 160

¹⁰⁰ Ibid

¹⁰¹ Ibid. 162

¹⁰² Cavatorta, Francesco and Elanza, Azzam. 2010. “Show me the Money! Opposition, Western Funding, and Civil Society in Jordan and Lebanon.” In *Contentious Politics in the Middle East: Political Opposition Under Authoritarianism*. Gainesville: University of Florida Press, pg. 87

As tensions rose in the occupied territories in 2000, and during the American invasion of Iraq in 2003, the Jordanian government moved to increase restrictions on NGOs. Meanwhile the US increased funding for groups inside Jordan supporting liberal ideas and freedom of speech,¹⁰³ further exacerbating divisions. Following the Palestinian Intifada in 2001, the government began to crack down on public demonstrations and targeted NGOs by passing laws no. 45 and law no. 7 of 2003, tightening restrictions on the right to assemble.¹⁰⁴ In 2007, the government moved ahead with a draft law even more restrictive than law no. 33 of 1966. The new law added high budgetary requirements to register new organizations, \$150,000 for domestic NGOs and \$375,000 for foreign ones. It required written approval to receive foreign funding, rhetorically intended to cut off terrorist funding sources.¹⁰⁵ New NGOs began bypassing restrictions by registering as nonprofits, but the scope of nonprofit activities was limited by regulation no. 66 for nonprofit companies.¹⁰⁶ GUVS openly criticized the new law, and in 2006 NGOs proposed an alternate draft that loosened many of its restrictions, compromising on oversight. However, the government launched an investigation into GUVS finances, a worrisome tactic considering that GUVS status in the government, then went after its president and imposed a temporary management board.¹⁰⁷ The government also went after the Muslim Brotherhood affiliated ICCS, imposing a temporary management board with no concrete allegations of wrongdoing.¹⁰⁸

Even after these recent transgressions it's clear that Jordan's third sector has a long-established history, growing in times of crisis and economic pressure, and maintaining an active

¹⁰³ "Shutting Out the Critics: Restrictive Laws Used to Repress Civil Society in Jordan." Human Rights Watch. 2007. 19 (10) E, pg. 15

¹⁰⁴ Ibid. 6

¹⁰⁵ Ibid. 23

¹⁰⁶ Ibid. 24-25

¹⁰⁷ Ibid. 26-28

¹⁰⁸ Ibid. 31

role in local governance, both in charitable and political activities. Organizations like GUVS allow the dialogue between the government and the third sector to remain open and collaborative by maintaining official representation. However, in recent years the government has sought to heighten its control of the sector by attacking GUVS' management. The state has rhetorically reacted to social suspicion regarding western funding, but its coercion of both GUVS and ICCS, makes it doubtful its intentions lie solely with easing social tensions. As noted, the government has cited combatting terrorism and hidden foreign agendas as justification for intrusive oversight, but its defensive stature suggest insecurity about its economic and political sovereignty. This frustration between the government and the third sector has also played out in the refugee regime. Tensions between the kingdom and the UNHCR rose after 2003, when it tried to declare general protection for Iraqi refugees. Since the beginning of the Syrian crisis, the Jordanians have insisted that refugees be contained in camps. It has also closed the border to new refugees citing security concerns, as it did before with Iraq. Next will consider the conditions that officials use to justify their policies, and how the current relationship between Jordan and the refugee regime arises.

In addition to security, Jordan bases much of its refugee policy on economic concerns. From the period of 2003 to 2015, the clear majority of refugees have settled in urban centers. Kumaraswamy and Singh (2016) note at least 4.1 million Iraqi, Palestinian and Syrian refugees were residing in Jordan by the end of 2014.¹⁰⁹ During the Iraqi refugee crisis, many refugees of middle and upper class background fled directly to Jordan, stashing large sums of cash in the real-estate market and causing inflation in housing prices.¹¹⁰ Inflation rose from 1.6 percent in

¹⁰⁹ Kumaraswamy, P.R., and Singh, Manjari. 2016. "Population Pressure in Jordan and the Role of Syrian Refugees." *Migration and Development*, DOI, pg.4

¹¹⁰ Sassoon, Joseph. 2009. *The Iraqi Refugees: The New Crisis in the Middle East*. I.B. Tauris: London, pg. 49

2003 to 6.5 in 2006, and the price of food rose by more than 20 percent.¹¹¹ Many of these inflationary pressures were a result of the American invasion rather than the presence of refugees. The war cut off the supply of subsidized fuel from Iraq, dramatically effecting energy costs. Furthermore, Jordan became a net exporter of food to Iraq primarily consumed by American servicemen, further increasing food prices.¹¹²

Geraldine Chatelard (2002) has described Jordan's refugee policy as 'semi-protectionist', allowing refugees in, but depriving them access to services and a means of livelihood.¹¹³ In 2003, the Jordanian government began welcoming Iraqi refugees as 'guests' with six month visas, claiming that there was no refugee crisis, but rather an immigration problem.¹¹⁴ The government's semi-protectionist policy led to tensions with the UNHCR in 2003, when it declared a temporary protection regime (TPR) for Iraqi refugees, a move the Jordanian government refused to recognize. Asylum seeker cards were distributed by the UNHCR though the government ignored their validity. This continued until January 2007 when the new director of the UNHCR Jordan confessed that host countries did not see local integration as a viable solution and began strengthening its resettlement staff.¹¹⁵ Having taken local integration off the table, the UNHCR and western governments started resettling tens of thousands of Iraqi refugees in 2007.¹¹⁶ Jordan successfully pressured governments to begin resettling refugees by resisting attempts to make local integration a viable option, but also benefited from the crisis by requiring

¹¹¹ Ibid

¹¹² Ibid

¹¹³ Chatelard, Géraldine. 2005. "Iraqi Asylum Migrants in Jordan: Conditions, Religious Networks and the Smuggling Process." In *Poverty, International Migration, and Asylum*. Borjas, George and Crisp, Jeff (eds.). Palgrave Macmillan: Houndsmills pp 341-370.

¹¹⁴ Sasoon, 2009, pg. 52

¹¹⁵ Ibid. 119

¹¹⁶ Seeley, Nicholas. 2010. "The Politics of Aid to Iraqi Refugees in Jordan." *Middle East Research and Information Project*. 40 (2010).

aid targeting refugees to be available to the Jordanian population, and supposedly fabricated the number of Iraqi refugees to attract financial assistance.¹¹⁷ In many ways this pattern has repeated itself with Syrian refugees.

The Syrian crisis has also directly impacted Jordan's economy. Before the war, Syria was a major importer of Jordanian perishable goods and exporter of fodder for the meat industry, but conflict forced Jordan to rely on more expensive trade routes for its economy.¹¹⁸ Syrian refugees contribute to urban congestion and threaten to depress wages by accepting lower pay and increasing labor market competition, especially among low skilled workers. Refugees have also arrived with a high ratio of dependents to income earners,¹¹⁹ and Jordan has consistently maintained a policy of blocking men from entering the country if they cannot prove local family ties. Despite these labor policies, Fakhri and Ibrahim (2016) see no statistically significant change in the unemployment rate in Jordan as a result of the Syrian refugee crisis, though they don't consider wage effects.¹²⁰ Departing from the Iraqi policy, in 2012 the Jordanian government insisted that refugees be diverted to camps, which the UNHCR had suggested due to overcrowding at government reception centers. Lewis Turner suggests that the government's insistence on opening Zaatari camp was intended to restrict refugees from the labor market, citing pressure from rural Bedouin tribes who are traditional supporters of government.¹²¹ Consequently the government now aggressively pursues this encampment policy, in which refugees can only leave the camp through a 'bailout' system, requiring a Jordanian sponsor to be

¹¹⁷ Seeley, 2010; Sassoan, 2009

¹¹⁸ Kumaraswamy and Singh, 2016, 10

¹¹⁹ Ibid

¹²⁰ Fakhri, Ali, and Ibrahim, May. (2016). "The Impact of Syrian Refugees on the Labor Market in Neighboring Countries: Empirical Evidence from Jordan." *Defense and Peace Economics*. 27 (1), pp. 64-86

¹²¹ Turner, Lewis. 2015. "Explaining the (Non-)Encampment of Syrian Refugees: Security, Class and Labour Market in Lebanon and Jordan." *Mediterranean Politics*, 20 (3), pg. 388

accountable for their whereabouts.¹²² Starting around 2014, the Jordanian government began strictly enforcing this policy, rounding up violators and relocating them to one of the large camps, adding even more difficulty to refugees trying to maintain some form of irregular work.¹²³ This limitation on refugees' mobility may be seen as a continuation of Jordan's 'semi-protectionist' policy. The government has gone to great lengths to ensure the refugee population is controlled and not affecting labor competition. As authors like Agiers (2011) and Kagen (2007) have noted, governments seek to avoid urban encumbrance and assuage the economic concerns of their citizens by containing refugees in camps and deferring the cost of their care to the international community, and humanitarian agencies tend to favor camps for the efficiency of aid distribution.¹²⁴

'Semi-protectionism', camps or no camps, is not a policy for refugee protection. Most Syrians live outside of camps and as discussed, the Jordanian government characterization of refugees as 'guests' maintains them as foreigners, precluding special legal status and access to services. Noting the refusal to honor a protection decree by the UNHCR for Iraqis and the insistence on opening camps for Syrians, the government navigated the exploitable biases in the refugee regime to achieve outcomes in its own interests. Consequently, these refugee crises have created new demand for services which have primarily been met by the existing local and newly formed third sector. The Community Development Center of Sweileh (CDC-Sweileh), for example opened in 2009 to serve Iraqi refugees in one of Amman's working-class neighborhoods. Social workers at the center note the large number of female-headed households,

¹²² Achilli, Luigi. 2015. "Syrian Refugees in Jordan: a Reality Check." Migration Policy Centre: European University Institute, pg. 5

¹²³ Ibid

¹²⁴ Verdirame, G. & B. Harrell-Bond (2005). Pg. 388

problems in school, and lack of employment as major concerns, acknowledging that lack of refugee status contributes to poor access to aid.¹²⁵ The same economic problems face the Syrian community today, and small independent organizations have stepped in to fill the gap. Eva Svoboda and Sara Pantuliano (2015) have shown that in the absence of humanitarian aid inside Syria due to state obstruction, local and diasporic actors have taken up much of the work to offer services and administer aid.¹²⁶ Much the same trend has occurred in Jordan. Though aid agencies don't face the nearly the same difficulty operating in Jordan, much of their resources and attention are diverted to serving the refugee camps. Furthermore, the lack of status for refugees outside of camps makes it difficult to produce a needs assessment and organize an intervention. This denotes a stratification in the third sector, where the refugee regime including its implementing partners operate according Jordanian semi-protectionist policy. Thus, the regime doesn't access the majority of refugees and small, local, independent actors step up to the task.

In this section, we have seen what connects refugee governance to Jordan. The refugee regime is a layered third sector system of multilateral (UN) institutions and large international humanitarian agencies. These third sector entities are indeed involved in the moral marketplace for relief project, noting longstanding social norms surrounding sanctuary and asylum. However, the codification of the regime severely limited its capacity to advocate for the needs of refugees over the perceived self-interests of states. Consequently, deployment of humanitarian mechanics often aligns with state policies of confining refugees to camps and limiting access to labor markets and services. In Jordan, there is a well-established third sector that has responded to

¹²⁵ Al-Qdah, Talal and Lacroix, Marie. 2010. "Iraqi Refugees in Jordan: Lessons for Practice with Refugees Globally." *International Social Work*. 54 (4), 521-534

¹²⁶ Svoboda, Eva and Pantuliano, Sara. 2015. "International and Local/Diaspora Actors in the Syria Response: A Diverging Set of Systems?" HPG Working Paper, pp. 1-24

previous crises with increased voluntary activity. The government has implemented intrusive measures of monitoring the sector citing threats to its sovereignty. These restrictions create major hurdles for new organizations to form, but does not eliminate third sector activity entirely. The government has also managed to exploit the biases of the refugee regime to align with its economic protectionist policies. This alignment has divided refugees between those who can be assisted by the formal regime in camps and those who choose to live at the margins of society. This has resulted in as stratification between the international and local third sector, leaving small local groups to address the problems of refugees living with unofficial status. In is these local groups that are the focus of this study. Now, bearing the metaphor of the moral market in mind, we turn to understanding how these groups come about.

Methodology

Thus far, we have examined factors that contribute to refugee governance. The fundamental object of this study is to examine the dynamics of refugee governance from the perspective of small, private nonprofit enterprises that emerged to address specific needs for Syrian refugees. As noted, voluntary activity increased during humanitarian crises after the World Wars and at many points in Jordan's history. Looking at newly formed third sector activity tells us a considerable amount about how the moral marketplace for relief works. In the quasi-market described by Monica Krause, donors purchase projects from NGOs to improve the lives of beneficiaries. This transaction demonstrates the utility of our normative desire to help others. In our case, there is high demand for services because the refugee regime complies with government policy of economic protectionism. Being that major humanitarian agencies don't intervene on behalf of refugees without official status, there is low competition in the market for services among that group. These smaller groups do not produce 'projects' as commodities in the

way Krause describes, but rather emerge as *supplementary* service providers or perhaps can be understood as projects in and of themselves.

In order to make precise inferences into the way services are arranged for refugees in Jordan, this study consists of six semi-structured interviews conducted in the summer of 2016 with key informants working in five different small nonprofit enterprises set up in the last 3 to 4 years. Most are located in the capital, Amman and provide services to a local clientele, although one case involves an organization that supplies donations nation-wide and has conducted relief work in the Greek islands. This study examines the role of small third sector organizations in refugee governance by focusing on their recognition and strategy for filling important service gaps. By noting their specific contributions, their position in refugee governance is clearly defined. There is only a small field of historical and qualitative studies of the Jordanian third sector, and to my knowledge no qualitative or quantitative studies of organizational dynamics of the Syrian crisis yet exist. Therefore, this exploratory study will make an important contribution to the way we understand the management of the Syrian crisis, and how services emanating from the third sector form in emergency situations.

The initial hypothesis was reached through an inductive process by conducting the interviews. The initial research design involved eliciting informed perspectives on refugee livelihoods and coping strategies, but the stories of the organizations themselves compelled me to adopt the current focus. From my first contact, I learned a great deal about the challenges facing refugees and the role new organizations had taken in providing services. I sought out more information from other groups through “snowball sampling” – pursuing interviews through previous informants’ contacts. I also came across at least two informants more or less by chance. I established my first link through my primary contact in Seattle, who gave me the first names to

call once I arrived in Jordan. I also did not restrict my sample to any specific type of nonprofit or service. It was essential only that they work in Jordan, preferably in Amman, be a nonprofit organization of relatively recent tenure and modest size, and working with Syrian refugees. I used the same rubric of interview questions on each informant focusing on three key areas: what was the history and function of the organization, what was its role in refugee livelihoods, and what were their personal knowledge and views regarding the livelihood conditions of refugees today. These questions were intended to understand the organization's functions and its role in the service sector in which it acted. The interview process brought up more questions about coordination within the nonprofit sector and struggles in obtaining official licensure.

Interviews were transcribed using the qualitative research platform, "atlast.ti". Transcripts were then analyzed for reoccurring content. Common themes that were identified were assigned a code which would be compared with other transcribed accounts. Codes that accumulated enough analytical value were elaborated and described in memos containing my interpretation of their significance. Codes were specifically assigned to aspects of objective *process* as opposed to subjective *meanings* that the informant assigned to words or concepts. This project is not intended to be a discourse analysis of the way the informants construct their social world or interpret their surroundings. The purpose is to evaluate how viable interventions transcend the boundary from a perceived need to a salient and resilient project. Isolating this process is important to show how new organizational leaders move to redress a social need by maneuvering nonprofit or humanitarian mechanisms, mechanisms necessary for the coherence of refugee governance. In this way, the meaning of *need* and its subjective connotations was taken for granted. For the purposes of this research it is important to articulate the necessary conditions

for implementing a physical intervention, with the focus on the intervention itself. In this way, this project takes a more positivist or evaluative perspective of these nonprofits' roles.

There is potential for considerable bias in the selection method and from the sample. My attention was drawn to groups that were stable and expanding entities. Therefore, there is a gap concerning other organizations that may have struggled or shutdown. Indeed, I possess no quantitative estimates of how many similar organizations are currently operating in Jordan. Despite making inferences about the authorizing environment, the picture will inevitably be incomplete. Secondly, some of the organizations I interviewed are considered 'foreign' NGOs. Despite their foreign status, they still operate in the canvas of Jordanian NGOs and don't serve their primary function within their registered countries. Organizations not registered in Jordan face different challenges with fundraising, therefore the barriers presented to my informants do not necessarily affect all of them in the same way. Further research is required to determine if there are any functional differences imposed on organizations depending on registration status.

This sample is not representative of nonprofits in Jordan. The limited range of data cannot be used to extract generalizable conclusions about the way nonprofits are formed or how they are run. The main purpose of this project is to show how my informants, and perhaps others in similar situations, are embedded in *refugee governance* and how they manage their environment to redress need. Despite the limited conclusions that can be taken from this research, there is a lack of qualitative analysis that looks at the way new service-oriented nonprofits identify and fill gaps in social welfare. Further research is required to show more comprehensively how the third sector has formed at the time of the refugee crisis and what characteristics lead a new organization to success or failure.

Data Analysis

The first and most important part of this analysis involves outlining the process that occurs when the desire to *do something* to help refugees leads to a new project. It is important to show how individuals organize responses independently of the refugee regime, and how their contribution to refugee welfare constitutes governance. Individuals who are personally or emotionally impacted by events seek opportunities to become directly involved. This simple and natural sentiment can motivate a range of activity from donating to an NGO to risking personal time and resources to operationalize a solution. Those with the skills, connections, or ambitions to get involved in the existing system can *recognize a problem*, big or small, in the way the refugee situation is handled. In many cases, my informants or their colleagues volunteered in refugee camps in collaboration with larger NGOs. Through this encounter, they gained a unique view into what general areas of assistance or welfare are ignored or poorly administered. Combined with some entrepreneurial skill and ambition, they developed a path to a viable project when they find a *tangible need* and *space* to fill. Having witnessed the official management of the crisis, they can act on their recognition of a problem by identifying a space in which to administer some sort of assistance. Finding a legitimate space and clientele is crucial for implementing a programmatic solution. Therefore, from wanting to *do something*, to *recognizing a problem*, to *filling a tangible need*, we may see how independent operations fill the gap in refugee welfare, and how ordinary people, not just humanitarian professionals, can create viable operations through hard results and participate in the *moral marketplace*.

The first example of this process is illustrated by the Maliki Center for Traumatized Children. My informant Susanne and her colleagues founded the Maliki Center in 2013 when refugees were still arriving in large numbers and the organizational environment was still chaotic

and “crazy”. Layla, one of the original founders, began some of her refugee work in collaboration with Rita Zaweidah, another of my informants and owner of a nonprofit working in Jordan. Layla worked with Rita bringing in volunteer medical missions to Zaatari refugee camp and to other refugees living in transient camps. Susanne describes how the organization started:

“... at the beginning the first thought was to have [an] orphanage. But then there were too many obstacles like, the government wouldn't allow to have orphanage here... they [Layla and Rim] attended summer camp with Save the Children, so they got in contact with the kids so they got the idea that a lot of kids need psychological support. Everybody's doing humanitarian/medical stuff, nobody was interested in that part. So, um obviously, they needed the funds, so they met with a dentist... from the states, also Syrian origin, she wanted to fund somebody in memory of her late husband, he also was a physician, and died, passed away when he was young... So, they needed obviously, a legal umbrella. So, they got in contact with Rita, she was willing to operate under SCM. So, that's how they started.” (Interview with author, 2016)

The Maliki Center's founders' original desire to build an orphanage stems from their desire to *do something* to help Syrian kids. However, the state proved a barrier to this plan, and perhaps other logistical challenges prevented the viability of an orphanage as a project. Having interacted in summer camps with the kids they understood that they needed psychological support and that humanitarian organizations weren't doing enough to address the problem. *Recognizing* this, Layla and Rim along with Suzanne found patronage from a Syrian-American donor and collaborated with Rita's organization to provide institutional cover to investigate how best to serve children's psychological needs.

“Uh, we were running in Jebal Hussein [in Amman], used to work on the kids, there's a big concentration of Syrian refugees over there. Uh, we had the data from the Save the Children, used to do visits to the schools around the area, because the program here, Jordanian have schools, they cannot build extra schools, but they did the program to join the Syrians with the Jordanian kids, so because it became too crowded they split the kids like the Jordanian kids go in the morning and the Syrian in the afternoon, that was a solution. Obviously, a lot of kids were traumatized, they witnessed

like, all kinds of war horrors like bombing, killing in front, rape, whatever. So even only like listening to the boys they were traumatized like, little kids. So, they became either at school, they had difficulties like eh, concentrating in class, or became aggressive, and the teachers they didn't know how to deal with that."

By visiting classrooms in Amman, they confirmed their observations that many Syrian kids were still experiencing trauma from the war and that it was affecting their performance. Susanne observed an additional problem that teachers and staff at Jordanian schools simply weren't equipped to deal with that trauma, and were already strained by overcapacity. Untreated trauma, overcrowded classes, and unequipped institutions all left Syrian kids to lag in their studies. Identifying this *tangible need* and a *space* for intervention in the Jordanian school system was crucial for building a program for traumatized kids. The Maliki Center could then approach other groups and individuals for support. The founders began approaching other small NGOs to coordinate functions and resources. In addition to the donor from the states, most of the initial funding came from personal finances and family members. Through their connections with SCM, they had a professional psychiatrist design the program, and then they started receiving troubled kids directly from schools:

"They have councilors, but nobody was able to deal with that so they started sending them to our center and the kids improved. We also had a lot amount of kids who were kicked out of school because the teacher didn't know what to do anymore. So, they attended our course, it was all, I think they started the program it was a psychologist or psychiatrist from the states I think she was also friend of Rita's, she started the program and we managed to because you have to also apply to the culture, so we mixed it like a little bit."

Once they discovered a tangible space for intervention, the Maliki Center could get professional assistance through their network and begin designing a program that was culturally appropriate. This provided a lifeline to schools that needed better solutions for kids besides harsh discipline

and expulsion. Once the Maliki Center started showing results, they could build on their momentum and work directly with the community:

“...we [now] do the school visits. They refer to us the psychologists... Eh, he sits on them one on one and sits even with the family and sees who needs help and who not, and who we are able to help. Some of them we are not able to help also. So, and then believe it or not we have a waiting list now. Because like at the beginning also you have the stigma, especially in the Syrian culture, so they were "ok my kids they're not crazy," uh you know. It's the stigma about like psychiatric stuff. So now they come and ask us for help like, "I have my nephew, I know a friend of mine, or neighbor or so," and they refer the kids to us. Even the kids, when they like witness a fight or something at home between the parents they go and see [the psychiatrist] Muhanat, you need help, so the kids start you know. So, they [are] recognizing the need and the help.”

Making tangible improvements in kids' lives through this program triggered the community to refer clients directly, making the Maliki Center's job of tracking down those who were suffering much easier. Not only that, but the value the Center has added broke the stigma of mental illness and psychiatric care. The center helps about 40 kids every three months in both group settings and individual treatment. They gather to celebrate important holidays with graduates of the program which helps bring the community into the Center's work. It is important to emphasize that the Maliki Center was established on a minimal resource base, *“So at the beginning like I said the dentist from the states... And she used to help us like, two years, so like send some money, but it didn't cover everything. So, most of it was like friends and family.”* Drawing resources from friends and family has become a common theme among the organizations in this sample. It shows how little official assistance is necessary in order to run an operation once a *tangible need* has been identified and a program established. Official recognition is still essential for the long-term growth of an organization, but it is notable that very few in this sample accessed official grants.

Another common aspect of organizations like the Maliki Center is that they coordinate with other NGOs to clarify roles and expand capacity and impact. Around the time the Center started there were dozens of new operations starting up. The Maliki Center was the first of its kind in Jordan, but still many were duplicating the distributing food and necessities. The rapidity by which new organizations formed around this time added to the confusion. Layla and Susanne sought partnerships with other local organizations to seek funding, but began working on other ways to coordinate the sector as well. This loose coordination was important to clarify roles of different organizations.

“Everyone wanted to help... so, we started you know to visit all the organization and see what [they] are you doing, who are you helping. 'Ok we do this, you do this, so we can refer to each other, like help each other so it's like a little bit more organized.' so we knew and we collect more data. 'So, you're specialized for this area, you're for this area, now we get people like they need eh help let's say with a medical issue.' So, we know go to this organization, go to this doctor, so we know where to send people. It's like a booklet now that we're trying to do. Because people didn't know what to do at the beginning...”

Here we have a window into the self-regulating behavior of the local third sector, as organizations naturally seek their complements and competitors. The harmonization of cooperation and goals demonstrates governance of the local sector. However, the rapid manifestation of new services and distributors indicates the level of need, implying the absence of an official humanitarian response that would crowd out work by local actors. Susanne told me that *“big NGOs don't like to work with non-profit [companies],”* eliminating the possibility of nurturing partnerships between local organizations and the refugee regime. When governments and institutions aren't reaching people because of policy and resource constraints, other actors find flexible means to step in and provide much of their own resources to start. In so doing they

gather more community support as people see they are filling a need that few others are addressing. In this way, they may become indispensable agents of refugee governance.

My second case describes a nonprofit business called *Jasmine*. *Jasmine* was founded in 2013 by Lara Shahin, a Syrian woman. The organization pays other Syrian women a salary to make handicrafts for general sale, and all proceeds go back to paying the workers and increasing the number of families on the payroll. As discussed, Syrians are deliberately restricted from the labor market. Furthermore, Syrian men, the traditional breadwinners, are often absent from their homes because they were either killed, detained in Syria, or are traveling to work abroad. According to Lara, men are also treated more harshly than women for working without a permit and can be threatened with deportation to Syria. Therefore, finding jobs for Syrian women is critical to promoting livelihoods. Syrian women however, often don't have experience in the workforce because of their social obligations as wives and mothers. Lara, employs women by making handicrafts, using their domestic skills to make crochet, silk flowers, soaps and other handmade products. She got the idea for *Jasmine* by working in refugee camps:

“Yeah, I'm come to Jordan from three years and six months [ago]. Uh, and I start my establishment from 2 years. Yeah, before when I come to Jordan, before I work with the refugees, eh Syrian refugees come to Jordan I can help him distributed some money, some foods, etc. So, when I do my job, I meet several family, work at home, they work at something like handmade products. It's very very nice and good, so I think about my establishment, why I can't start something to help these refugees to work at home or come to my establishment, so I start before 2 years with 2 families.”

(Interview With author, 2016)

Like so many others, Lara wanted to *do something* by becoming a humanitarian volunteer in a camp. The problem that Syrians weren't working for wages is inferred from the camp setting. In this case, Lara noticed an entrepreneurial solution to the refugees' idleness by distributing the crafts they were already making for sale, with the opportunity to train and employ more in the

process. Two years later Lara was employing 40 families without yet acquiring authorization to sell to local markets. Lara's desire to help her countrymen by volunteering allowed her to see their survival strategies up close and to take direct action. After starting her business, Lara further investigated the problem of why Syrians weren't allowed to work in Jordan:

"Yeah, from six month [ago] the government here I eh, I don't know if you see on BBC they make interview with Syrian refugees and wazir al-'amal [minister of labor], wazir Assaha, ok? They come like interview I be there. So, I ask the Wazir al- 'amal, "why you don't allow the Syrian to work?" and something like this. So, they answer, "because almost all Jordanian can't have a job in Jordan." So, it's difficult to Syrian. So, they can't keep the old business, it must be to Jordanian first and so after that for Syrian. But they tell me they allow to from six month [ago], allow to six thousand Syrian, refugee Syrian have a license for work. But what the work? It's just like em, 'Amal Mudhafi' [cleaning work]."

Lara describes a Jordanian policy involving a work quota for the number of Jordanians that must be hired for every Syrian. Unemployment in Jordan was already high before the crisis and this quota is a cornerstone of the government's economic protectionist policy. After getting the idea for her business Lara was still actively trying to figure out why Syrians are excluded from the labor market. She could persevere in her business knowing that paying salaries to women to support their families was a tangible way she could support refugee livelihoods where they would otherwise be destitute. However, to make this mission tangible for more women would mean finding a market for her homemade goods:

"I start selling for friends. Just friends, and after one years I make page on Facebook and start to put my products and the people see it and ask me about buying my products, but its em, very difficult to sell in the market because I don't got a license before. So, I wait to got a license and legal work in my establishment, so maybe I can go to the market and put my products in shops maybe, and can I send my products to Saudi [Arabia] and Kuwait. Because they ask me for my products, I send it, some samples, it's very very good and the people there like it, so they ask me [for] more."

It is notable that Lara's business went from supporting two to forty families by selling to friends, on Facebook, and to ad-hoc foreign visitors. She accomplished this without access to Jordanian markets and without a business license. She eventually did acquire her license, in fact the day of our interview her Jordanian partner arrived with the official registration. Lara recognized early-on that using women's skills to provide meaningful pay for families could also become a profitable enterprise. People wanted her products because they are high quality handmade crafts and the consumer can be satisfied knowing it supports refugee families. This fulfillment resembles the role of the donor in Krause's argument, making the consumers part of refugee governance. As Jasmine expands it will pay more families through sales to Jordanian retailers or perhaps through its own outlets. Like the story of the Maliki Center's, Lara *recognized* a problem through her interactions with refugees in camps, giving her the inspiration to find a *tangible* way to solve the livelihood challenges facing Syrians. Many of my informants also use work to create additional opportunities for refugees, for example by creating permanent staff positions for Syrians. Lara's emphasis on work has given a lifeline to numerous families, providing a job that's dignified and productive, beyond doling out menial tasks or hand-outs. She can sell something indicative to Syria: soaps and designs for which Syria is known and can therefore empower Syrian women and preserve their national identity in the process. This shows how the third sector provides additional value to refugee governance by innovating a solution that penetrate some of the arbitrary limits placed on refugee welfare.

My next case describes the story of "*Souriat Across Borders*" and their subsidiary project "War Wounded". Manar Buosawi, my primary contact, is one of the five Arab women who cofounded the organization. War Wounded provides rehabilitation services to people disabled by the civil war, which has intentionally and aggressively targeted civilians. There are many

disabled Syrians living in camps where some rehabilitation services are provided, but they must go to cities for surgeries or other complex treatments. However, afterward they are left with nowhere to go, no 24-hour care or outpatient clinics are available to them. Obviously, physical impairments make their access to work and livelihoods even more precarious than it is, making them an especially vulnerable group. There are potentially thousands of impaired refugees living without the care they need outside of refugee camps. Manar was living in Dubai at the time the conflict started. As she watched the crisis unfold she was overwhelmed by a desire to aid her countrymen:

“This group actually started around four [years] ago, when the crisis in Syria started. Me as a mother as a housewife, I watch what was doing what's been doing... so what happened is that, when I watch what was done to the kids of my country, my people, the mothers losing their kids, the awful stuff that's been happening, I couldn't just keep watching. I wished there's something I can do. I've never worked with [humanitarian] business before, so what happened is that, you know when you are on Facebook... and you read the comments and status of people they share the same views the same goals with you, you add them. This is what happened, I added the five lady founders and we became Facebook friends. And one time one of us said, 'hey come on, are you gonna keep writing status on Facebook? Let's do something. What can we do?'”

For Manar, watching the terrible brutality of the war and suffering of refugees was too much. Like many, she vented her frustration on Facebook, and her future colleagues encouraged each other to convert their anger into action by *doing something*. Notably, they began this relationship as complete strangers, and the fact that they were motivated to work together despite that is a testament to their collective frustration with the situation. At the next moment they were available, they traveled to Jordan from different countries and began looking for a way to make a real impact:

“We started visiting hospitals, rehab centers like the one that we are in now, we went to Zaatari camp. Ok what happened was that when we went to Zaatari camp we were very overwhelmed. Like

this thing needs, not even like organization it needs countries, nations to take care of it. So, we said OK, this will not stop us. Let's help people outside the Zaatari camp. Well, we found out that wounded people are very vulnerable here because once they finish their surgeries they are kicked out of the hospitals, and they end up in the streets if they don't find anyplace to go. So, we said OK, 'this is a good project, lets, go back.'"

Like the others, Manar and her colleagues first sought out the refugee camp to assist refugees in the existing infrastructure. People first recognize the camp as the space refugees occupy and receive assistance, unaware that the majority are actually living elsewhere. Notably, they were “overwhelmed” by the coordination required to manage the camp, but they found a different way to maximize their time and resources. They also visited hospitals and rehabilitation centers, and they found out that disabled people were being discharged from hospitals with no ongoing care. *Recognizing* this problem, they thought of a *tangible* project by establishing a rehabilitation clinic in Amman. After they identified this space, they accessed funds from friends and family and rented their first location to open a rehabilitation clinic:

“Each one of us spread the word among her friends and community and start to raise funds for this project, and this what actually happened. We started with one story flat, in a building in Shmisani... It was only for [wounded] men. And then things started building up from there, by visiting hospitals to hunt patients, we found that there're women and children also... So, we raised more funds and we rented another floor in the building and we made it for women and children, and then, alhamdu'illah, by the blessing of God, we found this facility, and we rented it and we're here since more than two years now. And we are so happy in this place because it has a big garden. Our patients can every evening go have fun, talk, and it's very good for their mobility, and its big, we can host fundraisings here in this facility.”

The clinic now hosts 20 beds for men, 10 for women and children, and has numerous outpatients. Once Manar and her colleagues articulated a problem and a space for intervention, they were able to acquire funds from their personal networks. Like for the others, using funds from friends and relatives to start a project was possible where the need was salient and competition was low.

Souriat Across Borders continues to operate in Amman helping disabled refugees. It operates as a foreign NGO registered in the UK, though all of its activities are in Jordan, and their foreign status inhibits their ability to fundraise locally. Despite their limitations, they continue to finance a stable operation, demonstrating the capacity for growth and knowledge sharing among other institutions. Another highlight of organizations like *Souriat Across Borders* is that they redistribute and offer new services in an ad-hoc way when they get additional funding. This distinguishes them from major humanitarian NGOs that adhere to a specific mission and ration resources to a specific service based on their professional purpose:

“Because my work is not actually merely in this facility. My work is outside, like of course if I'm funded, like if my month ahead is secured for this facility whatever I have extra I go outside and help. Like we had projects inside Syria in Ramadhan, we always like whenever we have extra we announce in on Facebook that we're funding, we're working on this project in this area and we receive funds for this project itself. Yeah, we do a lot of that. We receive so many material donations. Shoes, toys, books, clothing bedding and we organize missions and we go to Mafraq, Irbid, Zarigha and just redistribute them. Actually, we have our database... of donors and beneficiaries.”

Souriat also offers salaries to women to make crafts, as does the Maliki Center, as a combined livelihoods and fundraising strategy. This of course in the whole basis of Jasmine. Manar also uses her network to connect donors directly to refugees struggling to make rent. This is another aspect of the local third sectors flexibility and willingness to work outside the mission to actualize better outcomes for refugees. Manar's case highlights the difficulties facing refugees because of government policy limitations. Groups like Manar's make up for this deficiency and expand capacity, even if they can only handle a small number of cases. Privately run clinics may be among very few providers for disabled refugees outside of camps, making them important emerging third sector institutions and contributors to refugee governance.

The next case departs slightly from the previous three, which were established directly to serve refugees, and their role in governance is demonstrated by filling specific services.

However, we now consider “Syria Direct”, a nonprofit media organization that began as an independent news outlet evaluating the quality of media coverage on the Syrian Civil War.

Orion, my primary contact, who joined the organization later and now serves as editor-in-chief, explained that in addition to its core mission to monitor media coverage, it now operates a training program for Syrian journalists and supports their candidacy for jobs in the Arab media sphere. They also continue to use their connections to publish news stories and syndicate them with other outlets to improve coverage of the conflict. Orion describes how the organization began:

“Syria direct, founded back in 2013 two years into the Syrian civil war. Its founders were two journalists here in Amman and one former state department employee from back in the US. The journalists... [were] the Middle East producer for 60 minutes, and the other was Christian Jaleski, who had been a journalist for like 10 years. They were journalists, they wanted to find a way to cover the Syrian Civil War, by that point most foreign journalists were kicked out of the country and they found out what was in the English media was not really, was not matching with what was coming out of the, in the Arabic media there was this disconnect. And so, they started this thing called Syria Direct, basically just to do exactly what the name says. The idea was just to kind of parooze the opposition Arabic language media and to translate the most important themes, like the most important things that were happening.”

The founders of Syria direct *recognized* an important problem, the disconnect between the Arab and Western coverage of the conflict, and wanted to *do something* about it. Ostensibly, western networks were missing vital details in such an important international issue, and creating better coverage would increase its salience in the public sphere. They continued to operate this way for about a year, just two Syrian, and two American Journalists. In 2014, they started to expand, taking on more journalists and translators and writing more in-depth stories. They syndicated and

sold reports to major and specialized outlets, but as the conflict changed they recognized a new problem that they could address with their current specialty. Syrian journalists who were thrown out of the country were unable to find work. Other Syrians too needed work and were eager to increase awareness about the war. The founders started a new program to train journalists to enter media networks carrying the Syria Direct mission:

“Then in about mid-2014, there was a lot more interest in Syria, there was a lot more interest in Syrian response, um and they also realized there were a lot of Syrians here, where there were journalists who wanted to be in journalism, but couldn't, they couldn't work, you know, any opportunities, and so they started the training program, and they started bringing on twelve trainees every three months, and moving them through a class room cycle of about a month and then a two month on the job practicum. That's what we do now. And then that's really kind of transformed into our primary goal, uh which is to graduate journalists from the program, and then find them employment in the Syria media sphere... or the Arabic media sphere.”

Thus, a new problem was translated into a *tangible* solution. The founders of Syria Direct were already addressing an important issue, but made use of their specialized resources and skills to directly assist struggling refugees. Notably, this also changes the organizations self-identity from a “media organization” to a “response” organization, one that is involved in relief work. Their impact on livelihoods may be small, bringing in a limited cohort every cycle and only for a specific professional purpose, but it's interesting that Syria Direct was able to transform its role when new needs among refugees became apparent and the founders realized they could do something about it. This shifting and expansion of services beyond the core mission is also a feature of the other groups in this sample. They may use excess funds to help refugees with rent, fund scholarships, or sell crafts made by refugees. The fulfillment of an organization's mandate and its ability to offer ad-hoc assistance to individuals both constitute governance. Syria Direct contributes to refugee governance by increasing awareness about the Syrian Conflict through

high quality coverage, and it also makes important improvements in the lives of refugees by offering a path to employment. The beneficiaries of this approach can carry the mission of Syria Direct with them into their new jobs. Increasing recognition of the Syrian conflict in the public eye will directly and indirectly increase support for the wars' victims.

The last and one of the most unique cases involves an organization based in the United States that fills a variety of roles inside Jordan. The title is "Salam Cultural Museum" or SCM, which also goes by the more apt title of "Syria Medical Missions". The organization was started by Rita Zaweidah, a Jordanian native who lives in Seattle, Washington, where she also coordinates SCM's functions on the side of her travel business. Her cousin Basil, who lives in Madaba, Jordan manages local distribution. SCM itself started in 2013 bringing missions of doctors and volunteers from the Seattle area to Jordan to provide medical assistance and distribute material donations. Missions were dispatched to Zaatari camp in addition to other transient camps unassisted by major humanitarian organizations. In 2013 Rita was also able to coordinate medical missions to the Greek Island of Lesbos, and was one of the first NGOs on the island as refugees started arriving in large numbers. Another key role of SCM is shipping containers of donated goods into Jordan via the southern port of Aqaba. Rita uses privileged access to get containers through Jordanian customs tax and duty free, and allows other humanitarian organizations to ship materials under her name. Technically, Rita's NGO first started during the first Gulf War when she converted tour busses into an aid delivery fleet to assist refugees in Iraq. She continued providing low scale support for resettled refugees in the Seattle area until she launched a new mission:

"... the civil war in Syria happened, and that ended up affecting me personally because I had lived in Syria for so long. I still have lots of family there, and because I had gone through the [previous] war

and knew it. And so, a lot of us actually thought that it probably wouldn't last longer than 6 months and that would be it. And it looked like it started, it was lasting so after six months I decided that I was gonna go back to Jordan to see how I could help. What I could do at all. And I met a group of Syrian doctors at the time that were there. And they wanted to do something so you know, so we ended up talking and I said, "Ok, well I already have an NGO, let's do it under this NGO, we'll start something." So, I went back and then we ended up doing this thing with SCM and got the doctors, changed my... bylaws a bit so it would fit in to what I was doing and we started right then. Within the eighth month of the crisis we started going into Jordan and taking in volunteers, humanitarians and whatever and doctors and stuff and so went in for, every 45 days we would go in for ten days and take about 15 to 20 people with us and we would load out suitcases full of medicines and stuff. And we started at the different border crossings where we were at, or went into Zaatari camp, uh we went into urban villages that were outside that were, that people just set up on their own, so we had our clinics... I mean we did 500 to 700 people a day... And so, we did this for up to four years."

Rita was personally impacted by the crisis. She had explained to me how she was living in Syria in the 1980s when the Assad regime launched an assault on a Muslim Brotherhood insurgency, which lasted about 6 months. Having personally witnessed the brutality of the regime's tactics and having friends and family in Syria motivated her to act. She already had a history of organizing humanitarian action from the first Gulf War, but like the others, she simply travelled to Jordan to "see what [she] could do at all." Luckily, she met some Syrian doctors who also wanted to help, and then organized volunteer missions to mount a more substantial response. They acquired licenses to take missions into refugee camps, though they addressed another *tangible need* in ad-hoc camps that formed around towns and near the border, where people wanted to avoid be placed in larger camps like Zaatari:

"... just nobody knew where [the camps] were. Yeah it wasn't even being ignored, it's just nobody knew. You just had to drive around the country and then you would find these camps. So that's what Layla would do... they would stop and find out, "where you from? -- from Syria -- When did you get here, when did you cross over?" They would take a look around see if there was 200 - 300 people that were in the camp and they would set up a date and said ok, "we got a group of doctors coming from

the US, we're gonna come on this day. So, clean out... two of your tents where the physicians can see the people..." our pharmacy would be out of the back end of the van that we would have... Then we'd also set up table and items so that we'd have stuff for the kids, toys, clothing, we'd have stuff for school for the kids that we could hand out and stuff. So, we would go to a camp and usually we'd be there 8 in the morning and would stay till 6 or 7 or 8 at night till we finish because we wouldn't go back to that camp a second day. Usually we'd try and get it and, since we're there for... ten days, but you had seven days mostly where every day was work, so everyday we're going to a different camp and at the very beginning when we started there was quite a number of camps that were all over the city because people didn't want to go into the big camp of Zaatari. You know, they wanted their own independence."

SCM could serve other refugees that weren't being served by other humanitarian organizations in ad-hoc camps. Major international NGOs, though they knew of the other camps, were focused on the official camps and couldn't triage resources to visit others because of their professional commitment to staff the larger camps. Rita explained that SCM was not always needed in places like Zaatari, where official hospitals were set up. Again, the flexibility and independence of smaller third sector organizations moved to address needs that were unmet because of the rigidity of larger refugee regime structural responses.

Another critical role SCM fills is to import materials of other organizations who are conducting work in Jordan. As discussed, Rita uses her connections to get donations from the US into Jordan duty free, but she encourages other organizations with whom she's connected to send their materials through her. This is an enormously helpful cost saving measure especially for small to mid-sized NGOs that want to have an impact on the crisis. Rita shows how working collaboratively with other organizations is an important feature of her work:

"And we ended up working with other organizations, you know Mercy Corps was in Jordan at the time, you know I met the director. And he, they wanted to take stuff into Jordan, but they were having a real hard time... I said, "have them send them to me, I'm sending containers over, and we can get it

in tax free, duty free.” And so, we would work with Mercy Corps on doing that type of stuff. And so, that’s how we started out, then we started out with Arab Women’s Union in Jordan, that was a government organization and they would turn around and eh, they would open clinics in certain parts of the cities and stuff for us. And they would open up the clinics and... we had certain days that we were there that we would go into the Women’s Union, and em, so we started working with the different local organizations ... that needed assistance, needed help, and started changing ideas... Because I was a Jordanian citizen and we had gotten all our different laws and stuff and our bylaws and whatever that Jordan was allowing us to bring stuff in duty free, which other organizations weren't so other organizations would use us and ask, “can we do it under your name,” and we said, “yeah you can, but you have to make sure that this and this and this is brought in, you know you guys pay the fees, we'll store it for you in the warehouse until you want to get it out, but you know you end up having to make sure that we don't get anything that's wrong. No medicines, you can't send it in a container, no food. I mean there's certain items you could not send in.”

Without Rita’s help, other organizations would be paying far more to have materials shipped to Jordan. These costs would reduce their potential impact and perhaps eliminate the possibility of operating in Jordan at all. As we have seen, small third sector organizations can fill a variety of specialized roles in crisis situations. Where government-refugee regime collaboration restricts intervention, it is small local groups that have the potential to effect change. In another conversation with Rita’s cousin Basil, who coordinates local distribution, he showed me document after document of requests from Jordanian and foreign NGOs for material donations:

“We are doing quite well here in Jordan with associations, active associations which we are sure about them, to minimize the cost. You know when you have NGO, you need a staff to distribute. Rita's policy and me we agree on minimizing our costs, the management costs. To give the associations and the associations distribute under our name, for the people whom they know they are in bad need. In this way, we are covering Jordan from the North to the South. Yeah. We have some photos, we have some letters, and as you saw now, when we left the store, which the guy whom you met.” (Interview with the author, 2016)

Basil refers to our first meeting, when I worked among a group of volunteers to arrange winter donations in his warehouse in Madaba. When the work was done and we were leaving, the

mayor of Madaba was waiting outside to inspect Basil's inventory, and the mayor gave him a letter, which I read, requesting donations from SCM on behalf of the Madaba Governorate. In addition to importing materials for relief NGOs duty free to Jordan, SCM distributes donations through dozens of local nonprofits and charities that assist both refugees and needy Jordanians. In this way, as Basil says, SCM covers Jordan, "from North to South." Among the other requests, Basil showed me letters from: *Um Amara* society, Middle Bedouin, *Arrar*, The Hashemite charity, *Jami'a a-sayidat* (Women's Union), *Tanmiyat a-marra rifiya* (Rural Women's Development), *Jamiyat al-berb al-walidayn* (Charity Union of the Pearl), A Circassian Organization, and even UNHCR itself, all requesting donations, often in the form of crutches, wheelchairs, walkers, and other equipment for the disabled. This reflects SCM's credibility within the local third sector to provide urgently needed items that would be difficult or expensive to acquire in-country. SCM's function as an importer of foreign donations is a major *tangible* area where it addresses need. Local NGOs distribute to clients and SCM imports requested materials with almost no overhead costs. Coordination apparently occurs between organizations with comparable size and status, less so with the large humanitarian NGOs that are embedded in the refugee regime and demand their own turf. Thus, this sub-sector collaboration denotes the segregation between the large humanitarian infrastructure and smaller local third sector. These smaller groups coordinate with each other to share staff, resources, and expertise while the major international institutions collaborate with the UNHCR and the refugee regime and are embedded in state policy-making objectives; they fill the roles the Jordanian state expects.

SCM's low overhead and reliance on volunteer labor give it greater flexibility when responding to immediate challenges. In 2014, refugees started crossing in large numbers from Turkey to the Greek islands. SCM was able to dispatch some volunteers for an assessment and

then immediately move most of its operation to the new area before any of the international NGOs were present. In this way, Rita's has conceived of SCM as a "first responder" organization:

"And then while we were there, Jordan had closed their borders to let more people in. And so, people were going up from Aleppo and going up through Turkey and then through to the islands. And so, we started hearing what was going on. I sent a team in of seven people from England from Switzerland, from different places, of doctors, to go in and do an assessment for me of what we needed. So, they got to Lesbos at the time just as the boats were starting to come in. And so, they were, they stayed for about 5 days, were doing an assessment of what was really needed. Came back, wrote the reports to me and said, "Rita we need to be there immediately." So, we just uh, started rounding up volunteers to go. I sent Basil in from Jordan um, he ended up getting the hotel set up, the vans set up, everything that we would need to start meeting the volunteers that were coming in and we would get 15 to 20, we didn't want to take more than that, volunteers that would come through, and we had a special place on the north shore of the island. So, it started, it sort of split up between where the different groups would be. But then everyone was on a whatsapp so if there was any real emergency, bigger boats that were coming in, then everyone would go back and forth on whatsapp saying, "hey we need doctors, Arab speakers, we need them, the boats coming in, its three a.m... we can see it," and people would start waving flags to try and get people to come in on the right part of the shore..."

Like other organizations, SCM evaluates needs and triages resources to fill them, but with its low overhead and volunteer inputs it can respond more rapidly to new emergencies. Also since SCM and small organizations aren't bounded by regime structures and agreements with states, they go immediately to where they are needed most. As Rita described, on the island everyone worked together. Other voluntary activity was instrumental in managing the refugee surge and Rita described how private citizens opened their houses for refugees to shower and donated goods and food. SCM opened a clinic on the island open to everyone and later held a fundraiser to buy two new ambulances to the local government making a point to distribute resources equally and to acknowledge the role of the locals in the governance of the situation. The flow of refugees to the

islands was eventually cut off when Turkey and the EU reached a major agreement, and Turkey stopped the boats from launching. SCM moved their operations to Idomni where refugees had been trapped by closing EU borders. In Greece, they bought materials instead of shipping donations because of difficult logistics and the immediacy of the need. Refugees eventually rounded up and transferred to Thessalonica where they were housed in empty mills and factories. The collaborative attitude changed however, as big NGOs insisted on taking control:

“So, you didn't have the working relationships with the different organizations when you went up to Idomni like we ended up having down in Lesbos when you're on the island. You know you were first responders there, so everyone had to work together. There's just no way, otherwise you're going to lose life. Here when they're on land and they're already there and they're in their tents, then you got, started getting these little turf wars and stuff. You know most of us would get really upset saying like, where is UNHCR? Why don't all these have the tents from UNHCR? Why are we buying tents? Why are we buying all this stuff, you know? These organizations are taking pictures, they're asking for money, they're asking for donations. They're getting big bucks, they're getting a lot, their people are getting paid. And all these smaller groups are all total volunteers. Nobody has, gets any money for anything at all.”

Rita described to me several situations in which the large NGOs insisted on controlling one aspect of refugee assistance and nudged out local responders. Since their professional demeanor and mission requires them to address a particular need or services, they seem to have no trouble crowding out others and publicize their work, while ignoring the possibility of partnering. The change in collaboration between large and small once relocated to Idomni is notable and underwrites the segregation between the refugee regime and independent third sector. Governance in this situation seems to be fractured and no coordinating authority ensures that all willing hands have a part applied to some function.

What these five cases show is that social needs are filled by numerous actors. When states or responsible parties fail, or face constraints to their actions, demand for services goes

unmet and indeed may rise. Private voluntary action emerges when individuals motivated by normative desires to *do something* to end suffering. By interacting with the regime and management of the crisis they can *recognize* a problem of caused by unmet services, and finding a *tangible need* and *space* to administer an intervention. As discussed in this paper, the strictures of the international refugee regime allow for the implementation of aid programs that reflect the economic protectionist stance of the state, making the needs among refugees more base and essential. The *moral market* for such services is addressed by local actors that aren't limited by the same political constraints as the regime. Consequently, these new organizations fill *supplementary* roles in the third sector. It seems these interventions are met almost exclusively by private voluntary activity with little complements in the government or the refugee regime. Indeed, the government has demonstrated hostility to any organization that challenges it on policy. There is a resulting stratification in the third sector between the refugee regime and local nonprofits and voluntary organizations. Few analyses up to this point have examined the process behind entry and participation in this market. This simple elementary desire to "make a difference" is felt by many. I have tried to show this through my rubric of wanting to *do something, recognizing a problem, and filling a tangible need and space*. These organizations also demonstrate coordination with their peers, recognizing the need to better control roles and resources and create collaborations to expand impact. Their flexibility also allows them to address new need on a case by case basis and work outside their main mission to achieve better outcomes for refugees. In these ways, their participation in the moral market for relief is integral to refugee governance.

Conclusion

In this paper, I have tried to explain why groups of new service organizations are emerging to handle service shortages in Jordan despite state attempts to limit the impact of refugees on society. The Jordanian government has handled the Syrian refugee crisis in an exclusionary way and attempted to reduce its impacts on the labor market by enforcing an encampment policy. The refugee regime can only administer relief in compliance with this policy due to its reliance on government consent. Therefore, we might expect new welfare services to reflect the government's policy objective to make local integration impossible for non-encamped refugees. This policy of economic protectionism creates unbalanced access to services which I argue are filled mostly by small, local, and independent third sector actors. I further argue that these actors are integral to refugee governance because of their unique ability to elevate the needs of refugees over the Jordanian state and the refugee regime. In order to explain how these nonprofit operations accomplish this I use the metaphor of the market. Monica Krause observed that large humanitarian organizations produce "projects" as a commodity, and sells it to the donor for the benefit of the intended population. This exchange demonstrates a marketplace based on the normative and moral demands of donors and society, rather than profit or some other form of utility. The framework of the market is useful because it describes how new and existing firms increase production to fill the material demands of society. Similarly, in the *moral market*, new and existing nonprofit firms and third sector entities increase access to services to meet society's moral expectations of protection for the dispossessed. The refugee regime fails to fully monopolize the moral market for refugee relief because of limitations imposed by the government, therefore competition is low enough to see the entry of local actors.

I have attempted to confirm this argument through my conversations with new Jordanian nonprofit organizations. Breaking down a process of market entry from *wanting to do something*, to *recognizing a problem*, to *filling a tangible space and need*, the stories of these organizations show how normative desires to help other transcend the boundary from idea to project. Notably, these organizations can form on a minimal resource base because of low competition in the service area, and primarily rely on personal networks for initial funding. They also coordinate with their peer organizations to increase impact, and redirect surplus resources directly to beneficiaries. Furthermore, because the refugee regime is concentrated on camp administration, there is low collaboration between major humanitarian organizations and small local actors, creating a stratified and disjointed third-sector response to the situation. Although this organizational setting forms our understanding of *refugee governance*, governance in this case demonstrates a lack of coordination, and jostling of objectives among stakeholders. If refugee governance in Jordan is to become more coherent and beneficial, each party must make certain concessions to ensure that refugee protection is elevated and local economic concerns still maintained.

Policy Implication and Directions for Future Research

This study is one of few early attempts to understand the management of the Syrian refugee crisis in Jordan. What I've concluded is that local organizations are extremely important to ensuring equity in the distribution of humanitarian resources. Therefore, it is incumbent on the UNHCR and refugee regime to enhance contact and partnership with these organizations and begin closing the gap between local and international responses. Being that people are naturally motivated to serve needy populations and the market is a useful metaphor for understanding this model of local response, elements of the regime should advocate within the government for

liberalization of nonprofit and NGO legislation to lower barriers to entry and increase accountability. Organizations and syndicates like GUVS can be useful forums to articulate third sector objectives and harmonize them with international agencies and government concerns. Furthermore, regime elements should relax some of their professional expectations and partner with these new organizations as distributors. Established local organizations will likely be reliable and effective if acknowledged for their work. Less experienced groups could be supported through seed funds or merit based allowances to increase their viability. Major humanitarian organizations are more suited to attract international dollars and intuitional donors, and could distribute some of that revenue to diversify their response portfolio and broaden impact at lower cost.

The logical next step of this research project is to broaden the scope of the analysis and seek input from more organizations. The differences between foreign and domestic actors should be studied with greater consideration for fundraising activity and avoidance of registration barriers. Further study should distinguish between local and diasporic actors to see international elements in greater detail, analyzing what roles people play in refugee governance inside and outside their home country. Quantitative estimates of these organizations are also necessary to move forward, which would require a categorization of the NGO community. Lastly, the framework of the moral market should be applied to studies in other countries, with special attention paid to the history and legal traditions of the third sector.

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