



Lebanon's response to the Syrian Refugee crisis – Institutional ambiguity as a governance strategy



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ARTICLE INFO

Keywords:

Syrian refugee crisis
Lebanon
Institutional ambiguity
Informality
Agnotology

ABSTRACT

In comparison with other regional host countries Lebanon's response to the Syrian refugee crisis is characterized by a remarkable degree of institutional ambiguity. Government policy has centered on the prohibition of formal refugee camps and adopted regulations with regard to registration, residence, and work which drive refugees into illegality. This is partly the result of the chaotic and overwhelming nature of any refugee crisis, which is only reinforced by the Lebanese government's limited resources and capacities and the country's dysfunctional political system. However, institutional ambiguity in the context of the Lebanese response to the Syrian refugee crisis is not merely contingent. Departing from agnotology theory, this article demonstrates that there is also a strategic component to the institutional ambiguity that now determines the life of Syrian refugees in Lebanon. On the basis of fieldwork among Syrian refugee communities, elaborate policy analysis, and an extensive literature review the article reveals the political utility of maintaining uncertainty and precariousness. These insights have profound implications for the analysis of refugee politics and the formulation of policy recommendations.

1. Introduction

The conflict that has engulfed Syria since 2011 has internally displaced 6.5 million people and forced another 5 million to flee abroad, overwhelmingly to neighboring countries. In this article, we explore how Lebanon has dealt with the ongoing influx of refugees. Before the outbreak of war in Syria, Lebanon counted an estimated four million inhabitants. It currently hosts approximately 1.5 million refugees. This makes it the country with the highest number of refugees per capita in the world. Lebanon, as such, represents an empirically important case to understand the dynamics of the Syrian refugee crisis. The specific way in which the Lebanese government has responded to Syrians seeking refuge, which revolves around a form of officially condoned and even enforced informality, moreover, holds particular conceptual relevance for the broader analysis of the governance of refugees.

In comparison with other regional host countries, the Lebanese response to the Syrian refugee crisis is characterized by informality – or

rather, as we will explain in the following section, institutional ambiguity: an unpredictable, hybrid form of governance that emerges at the continuously shifting interface between formal and informal forms of regulation. Government policy has centered on the prohibition of formal refugee camps and adopted regulations with regard to registration, residence, and work drive refugees into informality and even illegality. The aim of this article is to explore the causes, characteristics, and consequences of the ensuing institutional ambiguity. We acknowledge that institutional ambiguity is partly the inevitable result of the chaotic and overwhelming nature of any refugee crisis. Paralysis and confusion are, moreover, only reinforced by the Lebanese government's limited resources and capacities, which are in turn partly the result of the country's dysfunctional sectarian system. We argue, however, that this is only part of the explanation. Institutional ambiguity in the context of Lebanon's response to the Syrian refugee crisis, our article suggests, is not merely contingent. Our analysis illustrates that there is also a strategic component to the institutional ambiguity that now determines the life of Syrian refugees in Lebanon. This demands attention

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for the political utility of maintaining such uncertainty and precariousness.

In addressing the spatial and institutional dimensions of the policies and politics that govern Syrian refugees in Lebanon, the article contributes to two meta-debates that have been central to modern political geography: the politics of migration (Kuusisto-Arponen & Gilmartin, 2015) and the question of ‘campness’ (Katz, 2015; Martin, 2015; Minca, 2015). Our rethinking of the uncertainty, precariousness, and unpredictability that refugees are routinely subjected to as a specific form of governance extends emerging thinking on the centrality of uncertainty to the refugee experience (Horst & Grabska, 2015) and helps to revisit discussions on policing mobility (Isleyen, 2018) and on the ‘voluntariness’ of refugee return that are central to critical border studies. While research on the political geography of migration has increasingly shifted from focusing on national mandates to investigating the supranational scope of refugee governance (Kuusisto-Arponen & Gilmartin, 2015), we believe that our in-depth exploration of Lebanon’s refugee response reinvigorates current understandings of such supranational migration politics. Our national-level analysis of Lebanon’s institutional ambiguity as a strategy to enforce return resonates closely with, for instance, recent work on the politics of violent abandonment and political neglect and inertia vis-à-vis refugees in Europe as discussed by Davies and Isakjee (2015) and Davies, Isakjee, and Dhesi (2017). This establishes the ‘transmutation over space’ of specific modes of refugee governance and their ever more punitive nature (Davies & Isakjee, 2015, p. 94).

In studying the drivers and impacts of Lebanon’s ‘no-camp-policy’ and the resultant proliferation of informal refugee settlements as part of a more encompassing production of institutional ambiguity, our article also engages with scholarly work on refugee camps, informal settlements, and ‘campscapes’ (Martin, 2015; see also; Katz, 2015). Exploring the logics of informal Syrian refugee settlements in Lebanon opens up analytical space to consider the utility of ‘non-camps’ or ‘counter-camps’ (Minca, 2015). Camps are routinely analyzed as instruments of biopolitical control and surveillance. We propose that the hybrid spaces constituted by informal settlements that are neither citizen territory nor refugee camp have their own political expediency. By considering the spatial politics of informal refugee settlements as part of a larger governmentality revolving around institutional ambiguity, we build on Martin’s (2015, p.14) conceptualization of refugee spaces as being ruled by potentiality rather than sovereignty. Particularly, we further Oesch’s (2017) understanding of refugee spaces and mobilities as determined by ‘multiple ambiguities,’ the simultaneous inclusion and exclusion of particular spaces and populations from formal governance modes. This, in turn, sheds new light on refugee evictions. Our analysis suggests that the continuous displacement that is enabled by a ‘state of exception’ is not necessarily a manifestation of ‘political power outside the control of the Lebanese state,’ as Ramadan (2009, p.153) suggests, but can be a form of state power in its own right.

This conclusion is based on fieldwork data, analysis of policy documents, and a literature review. Our methodology engages with both national policy-making dynamics, through document analysis and expert interviews, and local implementation and negotiation logics, by means of in-depth interviews, focus group discussions, and observations. The analysis of policy documents presented us with a paradox as the very institutional ambiguity that constituted our central research interest per definition meant that significant aspects of the governance of Syrian refugees in Lebanon were not captured in official policy. It is to a large extent the absence of a comprehensive formal policy that we seek to understand. Nevertheless, the relevant laws, agreements and political decisions – such as for instance the government’s neutrality, or ‘dissociation,’ policy as communicated through the 2012 ‘Baabda Declaration,’ the 2014 ‘Policy Paper on Syrian Refugee Displacement,’ and the 2015 ‘Lebanon Crisis Response Plan’ (LCRP) – are part of our analysis.

Empirical findings on the Syrian refugee crisis were collected by

Jessy Nassar over the course of three years in the context of three different research projects.² In total, 101 semi-structured interviews were conducted with various stakeholders ranging from government officials, municipality representatives, *mukhtar*,³ and international and local non-governmental organizations (NGOs), to Syrian and Lebanese communities from various backgrounds. In addition, extensive ethnographic field notes were developed and five focus group discussions were conducted with Syrian and Lebanese communities.

The paper draws on fieldwork conducted in Qob Elias, Bar Elias, and Bebnine, in addition to interviews conducted with NGO representatives and government officials in Beirut. Both located in the Zahle district of Bekaa region, Qob Elias and Bar Elias host the largest concentrations of Syrian refugees in the Bekaa. In these localities, refugees outnumber the local population. All three settings are classified among the country’s most vulnerable localities in Lebanon.⁴ Interviews conducted with municipal authorities in Bar Elias indicated that the municipality was affected by the refugee influx to such an extent that it caused severe tensions between local community members and the municipality.⁵ Yet, Bar Elias has received more attention from local and international NGOs than the other localities and various infrastructural and developmental projects that benefitted both the refugee and host communities were implemented there since 2011.⁶ In Qob Elias, the naturalization of a large number of Syrians in 1994 resulted in the establishment of good connections between the Syrian community and key political parties in the region. This partly contributed to the integration of post-2011 Syrian refugees within the local community. Such relations help facilitate refugees’ access to various forms of services through the usage of informal networks – even if Syrians living in refugee settlements benefit from this significantly less than self-settled Syrians living outside the settlements. The refugee influx has also significantly affected Bebnine, which is ‘one of the poorest in the northern Akkar region’ and has the ‘highest overall poverty rate in Lebanon, at more than two times the national average and six times that of the capital Beirut’ (Christophersen, Thorleifsson and Tiltnes, 2013, pp.12–13). Bebnine is thus much poorer than the two other localities. Also, in contrast to the other two localities, Bebnine’s governance structures rely on familial and kinship ties rather than political allegiances.

The data underlying our analysis were not specifically sampled to capture our central phenomenon of institutional ambiguity in Lebanon’s governance of refugees. Rather, the significance of such institutionalized uncertainty emerged from these combined datasets that deal with a variation of localities in a more inductive fashion. In other words: We did not set out looking for ambiguity, but ambiguity presented itself as a defining feature of the politics and policies aiming to govern refugee life in the various research projects on which we empirically draw here. It is from this vantage point that we then explored and reconsidered the empirical data collected by Jessy from an

² The first part of the fieldwork was done as a thesis project between June and August 2014 and examined how the refugee crisis was resourceful in reproducing statist images of sovereignty. The second major set of findings was collected between December 2014 and March 2016 under the auspices of the Lebanese Centre for Policy Studies (LCPS). Another part of this paper’s findings is based on fieldwork, observations, and analysis conducted as a researcher for the American University of Beirut on a project in partnership with the London School of Economics between March 2015 and August 2016. Part of the data collected and analyses generated by the Jessy Nassar during this project was published by Sanyal (2017).

³ A *mukhtar* is a state representative that performs social and administrative services on the neighborhood or village level (Stel, 2015b).

⁴ https://reliefweb.int/sites/reliefweb.int/files/resources/27032015_VulnerabilityMapMarch2015.pdf.

⁵ Interviews by Jessy Nassar with previous mayor and municipal support assistant– Bar Elias, 7 April 2015; 1 April 2015.

⁶ Interview by Jessy Nassar – Bar Elias, 14 April 2016.

agnotological perspective to arrive at the insights presented in this paper. This also means that the empirical examples that we draw on do not follow a comparative format, but reflect the unique ambiguities manifest in each case.

The article continues with a discussion of agnotology – the study of socially created and politically imposed ‘not-knowing’ of which we consider strategic ambiguity a specific manifestation – that constitutes our main conceptual lens. We then introduce Lebanon’s response to the Syrian refugee crisis, discussing the characteristics of the initial ‘no-policy-policy’ and the subsequent ‘formal informality’ as well as their consequences. After this, we draw on fieldwork among Syrian refugee communities, elaborate policy analysis, and extensive literature review to explore the causes of the institutional ambiguity we identified. We demonstrate that institutional ambiguity is at times adopted by Lebanese authorities as a strategic mode of governance towards refugee spaces and populations. The article concludes with a reflection on conceptual as well as political implications.

2. Agnotology and strategic institutional ambiguity

The Lebanese approach to accommodating the large number of Syrian refugees that have fled to the country is often described as characterized by informality. The adjective ‘informality’ refers to practices or actors that are not endorsed or sanctioned by any official public organization (Sindzingre, 2004, p. 5). Informal institutions or informal governance, then, refer to ways of organizing public life (here understood as collective decision-making on public goods provision) that are outside the officially codified and regulated system recognized by a government (Anderson & Francois, 2008; Bayat, 1997; Helmke & Levitsky, 2004; Roy, 2005). Housing in the formal sector, for instance, is registered by the relevant government department and subjected to a system of rules and regulations that determine who can live where for how long. Informal forms of settlement fall outside this system (Roy, 2005, p. 148; Stel, 2016). This does not mean that there are no rules guiding the allocation and stay of residents in informal settlements. It merely means that these rules are mostly not written down and that they are not upheld by the state but by other social or public authorities (Yassin, Stel, & Rassi, 2016).

Most practices and institutions that make up daily life, however, are neither fully formal, nor completely informal; they often fall partly under formal policy, with other aspects being informally regulated. In reality, then, people’s situations are often characterized by what we call ‘institutional ambiguity’ (Ho, 2001; Stel, 2016). This term refers to the uncertain and shifting nature of the combination of formal and informal rules that people face on any given aspect of life, particularly in areas where a state lacks the capacity or will to govern. Institutional ambiguity, then, often reflects instances of not-knowing and not-acting on the side of formal authorities, as informal activities or actors remain under their radar. While people themselves often keenly understand and navigate both formal and informal governance systems (Bayat, 1997; Roy, 2005), they have few incentives to share these understandings as it is most likely not in their interest to appear on the radar by revealing their coping mechanisms (Stel, 2016). This combination of authorities’ partial ignorance and people’s coyness makes the phenomenon of institutionally ambiguous governance complicated to study empirically.

To deal with this challenge we turn to the notion of agnotology, an innovative and interdisciplinary approach to the politics of knowledge. Agnotology studies ‘agnogenesis,’ the process of generating or maintaining ignorance (Christensen, 2008). ‘Ignorance,’ here, is broadly understood. It encompasses not-knowing as well as partial, unstable, or uncertain forms of knowledge and resonates with work on risk, doubt, and unpredictability (McGoey, 2012a/b). Agnotology is broadly concerned with what people do not know or claim not to know and how such not-knowing manifests itself (Smithson, 2008). It thus aims to ‘explore how ignorance is produced or maintained in diverse settings,

through mechanisms such as deliberate or inadvertent neglect, secrecy, and suppression, document destruction, unquestioned tradition, and myriad forms of inherent (or avoidable) culturopolitical selectivity’ (Proctor & Schiebinger, 2008, p.vii). As a heuristic device, agnotology reveals gaps, silences, contradictions, inconsistencies, taboos, and sensitivities in people’s behavior and discourse. Agnotology asks questions like: Who knows about this issue and who does not?; How did people come to know this?; and Why do others not know about this? These questions have unequivocal spatial dimensions (Stel, 2016). As Proctor (1995, p.8) notes, the distribution of uncertainty and ambiguity is never even and agnotology has a ‘distinct and changing political geography’ that helps us to empirically pinpoint instances of institutional ambiguity.

But agnotology does not merely allow us to describe manifestations of institutional ambiguity, it can also help to explain why it exists and endures. Agnotology is unequivocally constructivist and sees uncertainty, doubt, and ignorance as things that are actively ‘made, maintained and manipulated’ (Proctor, 2008, p. 9). Ultimately, this suggests that institutional ambiguity can be a potential ‘tool of governance and usurpation’ (McGoey, 2012a, p. 10). In the form of enabling denial, diverting attention, and exploiting doubt, institutional ambiguity can be a means to justify inaction and evade responsibility (McGoey, 2012b, p. 553; Smithson, 2008, p. 223). This directs us towards the importance of the ‘political economy’ of institutional ambiguity that revolves around the question of who benefits from specific modes of governance (and, related to this, who is duped by them). Exploring the interests behind ambiguous forms of governance can shed light on the agency behind them.

As scholars working on ‘strategic ambiguity’ have elaborately noted, the strategic nature of ambiguity is hard to pin down: How, after all, are we to prove someone does *not* know or *not* do something deliberately? (McGoey, 2012b, p. 559; see also; Best, 2012; Davenport & Leitch, 2005)? Departing from Taussig’s dictum that knowing what not to know is a crucial kind of knowledge, agnotology aims to differentiate between ‘things we don’t know we don’t know and things we know we don’t know’ (McGoey, 2012b, p. 558). It is the latter form – the things people know they do not know but do not want to know (deliberate ignorance) and the things they know but pretend not to know (professed ignorance) – that is relevant to us. While knowledge is power, not admitting particular issues (such as refugee settlement and registration) into the realm of knowledge, excluding it from formal policy, and partially relegating it to informality, can be a form of power as well. Drawing, contesting, navigating, or reconstituting the boundaries between formal and informal ways of governing determines where resources and attention are directed and as such tracks power too (Wylie, 2008, p. 187). Not-knowing – or not knowing completely or not knowing for sure – can be genuine, but it can also be maintained or feigned for strategic reasons. As such, not-knowing is closely related to not-acting (Mourad, 2016). Our application of the idea of institutional ambiguity in the broader field of agnotology sees institutional ambiguity as a result of feigned not-knowing by authorities which legitimizes the policy inaction that imposes uncertainty on refugee populations.

Considering the argument we make in this article, then, agnotology is helpful for two reasons. First, by putting a premium on specific issues, groups, and spaces that are affected by not-knowing and not-acting, it helps to empirically locate institutional ambiguity. Second, by positing not-knowing and not-acting as social constructions, it directs us towards the possible agency and the partially strategic nature of the (re-)production of ambiguous governance. The ‘anti-epistemology’ offered by agnotology allows for a critical analysis of Lebanese policy towards Syrian refugees that also considers which knowledge is *not* sought or disseminated, what decisions are *not* made and which rules and regulations are *not* implemented or upheld (Mourad, 2016). As such, our point of departure for analyzing the causes, characteristics, and consequences of the institutional ambiguity that shapes the life of Syrian refugees in Lebanon is Roy’s (2005, p.149) observation that informality,

and by extension institutional ambiguity, ‘must be understood not as the object of state regulation but rather as produced by the state itself.’

3. Lebanon's response to the Syrian Refugee crisis

The engagement of the Lebanese state with Syrian refugees primarily emerges through the General Security Office that falls under the Ministry of Interior and Municipalities. The General Security is responsible for the implementation of policy, specifically for monitoring the entry of refugees and controlling their residency and labor status. A Management Unit was established within the Ministry of Social Affairs in 2013 to prepare over two hundred existing Social Development Centers in the country for dealing with refugee issues related to security, health, and shelter. This Unit, however, did not have any policy-making prerogatives. In 2014, an Inter-Ministerial Crisis Cell was established by the Council of Ministers. It was chaired by the Prime Minister and included delegations from the Ministry of Foreign Affairs, the Ministry of Interior and Municipalities, and the Ministry of Social Affairs. The Crisis Cell coordinates with the relevant United Nations (UN) agencies in the context of the Lebanon Crisis Response Plan (LCRP) that was adopted in 2015 and to which we return in detail below. Concerning the LCRP, moreover, specific ministries – such as the Ministry of Education, the Ministry of Health, the Ministry of Energy and Water, and the Ministry of Labor – are included in sector-oriented interventions. Yet, the Crisis Cell, too, does not have any policy-making prerogatives: Only ‘the full Council of Ministers makes the key decisions on SRL [Syrian Refugees in Lebanon] policy’ (Bidinger et al., 2014, p. 4).

3.1. Characteristics: from ‘no-policy-policy’ to ‘formalizing informality’ and institutional ambiguity

Lebanon's initial response to the influx of Syrian refugees has been dubbed a ‘no-policy-policy’ (Ghaddar, 2017; Hamdan & Bou Khater, 2015, p.35; El Mufti, 2014; Nassar, 2014). The evocative term is now widely used to capture the fact that the Lebanese government originally had ‘little to no response’ to the refugee crisis (Yassin, Osseiran, Rassi, & Boustani, 2015, p. 14); that there was a ‘lack of unified government policy’ (Al Masri, 2015, p. 12). The open border policy for which Lebanon was praised at the time, according to Boustani, Carpi, Gebara, and Mourad (2016, p.14), should be seen as ‘ad hoc, as part of a laissez-faire common-sense approach to refugees fleeing war-torn areas, rather than a commitment to international law within a policy framework.’ In an attempt to retain ‘neutrality’ or ‘dissociation’ (Janmyr, 2016, p. 60) and to prevent the Syrian conflict from spilling over – a key priority considering that different Lebanese political movements were allied with the opposing actors in Syria (Ghanem, 2016, p. 19) – there were no official statements about how the government would approach the crisis apart from the 2012 Baabda Declaration (Mourad, 2016). This Declaration did not explicitly mention the refugee crisis, but instead referred to the broad need for ‘humanitarian solidarity’ in the context of the Syrian war (Dionigi, 2016, p. 10).⁷

Lebanon's ‘no-policy-policy’ roughly revolved around a ‘set of no's’: no refugees and no camps (Frangieh & Barjas, 2016; Mourad, 2016). With regard to the first ‘no,’ ‘no refugees,’ the Lebanese government has gone out of its way to avoid recognizing Syrian refugees as refugees. While Lebanon is not a signatory to the 1951 Refugee Convention, it

⁷ Individual ministries communicated several ‘decisions,’ such as the Ministry of Interior and Municipalities’ 2013 ‘Security Plan,’ but these were non-binding and did not have the status of official policy (Mourad, 2016, p.54). The government also offered some guidelines on how it would deal with the impact of the refugee presence on its own citizens, as in the 2013 ‘Lebanon Roadmap of Priority Interventions for Stabilization From the Syrian Conflict’ (Hamdan & Bou Khater, 2015, p.22). Yet these ‘policies’ systematically ignored the situation of refugees themselves.

well recognizes that this does not entirely absolve it from the obligations that hosts states have vis-à-vis refugees under international customary law (Hamdan & Bou Khater, 2015; Janmyr, 2016). As such, rather than acknowledging Syrian refugees as actual refugees, the Lebanese government considers them ‘guests,’ a term which is in-existent in international law, ‘displaced persons’ (Janmyr, 2016, p. 59), or, even more cynically, ‘de facto refugees’ (Janmyr, 2016, p. 62). As Dionigi (2016, p.23) notes: ‘The government has constantly steered away from the internationally acknowledged notion of “refugee,” fearing to undertake obligations such a status can demand.’ This approach went as far as to request UNHRC to stop registering refugees as refugees in 2015 because although these people might be refugees under international law, they were not according to the newly devised categories of the Lebanese government (Amnesty International, 2015, p. 5; Levy & Shamiyeh, 2016, p. 20).

Mourad (2017, p.51) called the second ‘no’ vis-à-vis Syrian refugees, ‘no camps,’ ‘arguably the most critical inaction of the response.’ In contrast to Jordan – that agreed to the establishment of refugee camps by the United Nations High Commissioner for Refugees (UNHCR) – and Turkey – where the government itself established formal refugee camps – Lebanon has refused to establish, or allow the establishment of, refugee camps (Sanyal, 2017; Turner, 2015). Despite pleas by humanitarian organizations (Knudsen, 2017) and initially favorable positions by some political parties (Dionigi, 2016, p. 22), the Lebanese government was traumatized by the Palestinian refugee experience (Carpi, Younes, & AbiYaghi, 2016, p. 11). It saw refugee camps as both an undesirable testimony to the long-term nature of displacement and a potential security threat due to possibility of such camps to emerge as terrorist safe havens (Dionigi, 2016, p. 22). As Fakhoury (2017, p.686) explains, the refusal to allow formal camps was not a form of refugee inclusion. Rather, denouncing camps became a way to uphold the increasingly delusional idea that the refugee crisis would be short-term (Ghaddar, 2017).

Since 2014, the notion of ‘no-policy-policy’ revolving around ‘denial and indifference’ is no longer fully applicable (Atallah, 2016). The type and degree of policies that have been generated by the Lebanese government since then, however, have conveyed a paradoxical mixture of extremely stringent and changeable regulations that were not transparently communicated to either the public or humanitarian and development partners and that were enforced in a fickle and arbitrary manner that led Lebanon Support (2016a) to conclude that this policy in fact formalizes the informality that was produced under the first phase of ‘no-policy-policy.’ As such, it produced a complex governance landscape that is defined by its institutional ambiguity.

The watershed moment in Lebanon's refugee response was the adoption of the LCRP in 2015. The LCRP operationalized the one-page ‘Policy Paper on Syrian Refugee Displacement’ issued by the government in October 2014 that prioritized reducing the number of refugees in the country, implementing extended security measures, and minimizing the burden refugees place on the host society. In his related speech, Lebanon's Prime Minister presented the initiative as a ‘long-overdue’ framework to ‘draw the contours of what needs to be done to mitigate the negative effects of the multi-faceted and protracted crisis we have been suffering from as a result of the events in Syria’ (Hamdan & Bou Khater, 2015, p.29). The LCRP formulated official government policy towards the crisis and aimed to align with existing programs and projects by humanitarian agencies, such as the UN's annual Regional Response Plans and national and international NGOs' Collective Site Management and Coordination Programs. It rests on three strategic priorities: ensuring humanitarian protection and assistance for Syrian ‘de facto’ refugees and the poorest Lebanese; strengthening the associated capacity of national and local public service delivery systems; and supporting Lebanon's economic, social, institutional, and environmental stability (Janmyr, 2016, p. 62; Yassin et al., 2015, p. 18). Following these priorities, the LCRP outlines interventions in nine sectors: basic assistance; food; shelter; water, sanitation and hygiene; health;

education; protection; social stability; livelihoods; and security.

While constituting a departure of the ‘no-policy-policy’ in terms of format – where there was no formal policy before, there is now – in terms of content the October 2014 policy and the LCRP in many ways made official the de facto situation that had emerged during the ‘no-policy-policy’ years. This process of ‘formalizing informality’ (Lebanon Support, 2016a) is evident in two main ways. On the one hand, the LCRP formulates incredibly stringent regulations in terms of entry, residence, and labor. On the other hand, these regulations are not clearly communicated and arbitrarily enforced. The result is that the uncertainty and capriciousness that blossomed under the ‘no-policy-policy’ proliferated into a situation of endemic institutional ambiguity. As Janmyr (2016, p.66) demonstrates, the Syrian refugee crisis in Lebanon is not governed by law but by ‘ministerial decrees, orders, and circulars,’ ‘irregular decisions’ (Hamdan & Bou Khater, 2015, p.34) that enable the government to sidestep national law as well as bilateral agreements and leaves a lot of room for discretion (Aranki & Kalis, 2014; Human Rights Watch, 2016). Several Syrian and Lebanese respondents in Qob Elias and Bebnine expressed their frustration with the inconsistent way in which the refugee crisis was being handled. They mentioned that the arbitrary implementation or outright violation of policies related to the Syrian refugee presence allowed for a gray economy to flourish and, in their view, consolidated institutional and legal uncertainties.

The October 2014 policy paper that preceded the LCRP, for instance, takes the previous tendency to minimize the number of de jure refugees by not recognizing them as refugees one step further. It bluntly states that the government aims to reduce the actual number of Syrian refugees in the country through reducing access and encouraging return (Janmyr, 2016, p. 62; Lebanon Support, 2016a, p.9). Syrians are now only allowed to enter Lebanon if they can prove that their stay fits a specific entry category, even though the categorization in question has been carefully designed to bar Syrian refugees: Only one out of nine categories speaks of displaced and this category explicitly excludes those fleeing the conflict in Syria. All these categories require refugees to produce elaborate and specified documentation before being allowed entry (Lebanon Support, 2016a, p.10). Obtaining these documents is incredibly difficult, time-consuming, and expensive and thus practically excludes all refugees without substantial financial means (Janmyr, 2016, p. 67). People that managed to enter Lebanon before these regulations were in place or who managed to enter despite them face daunting instructions to renew their residency (or to regularize it if they entered Lebanon illegally) as well.

Biannual residency renewal costs amount to US\$200,- per person, an entirely unrealistic sum for most refugee families. On top of these financial challenges, refugees are to provide a housing commitment (in the form of certified copies of a lease agreement or real estate deed and a certified attestation from a *mukhtar* that the landlord from which the housing is rented indeed owns the property or a certified residency statement by the municipality) that is in practice almost impossible to obtain due to landlords' unwillingness to engage in this procedure (Janmyr, 2016, p.68–69). In addition to this documentation on housing, refugees registered with UNHCR need to prove this registration and provide a pledge not to work signed by a notary and a demonstration of financial means. Refugees not registered with UNHCR face the even more disheartening task to obtain a pledge of responsibility by a Lebanese sponsor (*kafeel*) (Amnesty International, 2015, p. 14). As sponsors take on full liability for the refugees they support and the related bureaucracy is burdensome, such sponsors are very hard to find for refugees (Janmyr, 2016, p. 69; Al Masri, 2015, p.11).

Whilst the policies developed since October 2014 thus make the life of Syrians in Lebanon a lot harder, at first sight they at least appear to provide clarity on the Lebanese formal response to the crisis. However, as Lebanon Support's (2016a, p.22) seminal report on ‘formal informality’ demonstrates, there was a systematic ‘incoherence, informality, and insecurity in the renewal process.’ In our reading of this

paradoxical notion, ‘formal informality’ does not suggest that informalities are officially acknowledged, addressed, or remedied. Rather, it highlights the ways in which informal realities are imposed, facilitated, and entrenched through (gaps and inconsistencies in) formal policies – which is in line with the mutual constitution of formal and informal institutions that we started out from above. The interpretation and implementation of laws is constantly in the process of being adapted and amended without being properly communicated. Amnesty International (2015:15), for instance, notes that, when investigating the case of refugees who were turned back because their documents were only valid for a certain number of days after being stamped, it ‘could not find any information on official deadlines related to documents for renewing residency.’ The exceptional ‘humanitarian cases’ under which those fleeing Syria might be granted entry under the LCRP (through the category referring to ‘displaced persons’) after all, to give another example, have not been made publicly available (Al Masri, 2015, p. 13). Bidinger et al. (2014, p.36) explain that the same goes for the ‘petition for mercy’ that people who have irregularly entered the country can submit. This petition, in addition to a payment of US\$600,-, should regularize their status, but ‘the success of such petition is entirely uncertain, as there are no policies or guidelines for the exercise of discretion by the GSO [General Security Office], and applicants cannot be represented by counsel in their proceedings’ (Bidinger et al., 2014, p. 36).

Instead of providing lucidity, then, the formalization of Lebanon's response to the Syrian refugee crisis has made the situation more ambivalent (Dionigi, 2016, p. 16) as it is based on illusory requirements that set people up for illegality (Lebanon Support, 2016a, p.15). Institutional ambiguity is only further entrenched by the arbitrary implementation and enforcement of regulations through, as the Ministry of Social Affairs euphemistically puts it, the use of ‘windows of flexibility’ (Amnesty International, 2015, p. 11). Entry, as noted above, is dependent on the relevant officer's interpretation of the ‘humanitarian case’ clause of the category on displaced persons in the LCRP. Renewal of residency status is similarly at the discretion of the General Security officer in question, with ample testimonies of renewals being denied despite the presentation of all required documentation (Janmyr, 2016). Fakhoury (2017, p.687) concludes that the General Security has implemented a form of ‘discretionary governance’ through its ‘restrictive, tedious and changing’ procedures. According to a refugee quoted by Lebanon Support (2016a, p.23): ‘It's a lot of chaos. The people who work at General Security don't know anything about the laws.’ On the ground, each General Security officer demands a different set of documents (Lebanon Support, 2016a, p.22-3). Al Masri (2015, p.11) concludes: ‘Lebanese and Syrians alike described the regulations of the General Security as fickle and ambiguous, and appeared trapped in a bureaucratic maze they do not know how to navigate.’ A refugee cited by Lebanon Support (2016a, p.22) explains:

I tried to renew two times with a *kafeel*, but it didn't work. For some people this works, for others it doesn't. The third time, I tried to renew with a renting contract. That also didn't work. I remember that the first time I wanted residency on the basis of a *kafeel*, I went to the General Security six times, and every time they told me to get different papers. They said that they couldn't have told me I needed these papers before, because they ‘didn't know.’ In the end, I was so frustrated that I started shouting at them. Then, a general came and gave me a copy of my *kafeel's* pledge. I took it and went to the notary, but that didn't work either. So I went back to the General Security. Then they told me to come at 8 a.m. When I did, they told me to come at 12 p.m. In the end, I just gave up, just like the others.

This arbitrariness is also evident at checkpoints, those ‘flying’ hallmarks of spatial exclusion and control (Isleyen, 2018, p. 27), where even people with proper documentation might be arrested. According to a human rights activist, mobility entirely ‘depends on the mood of the guy at the checkpoint.’⁸

While the LCRP had the stated aim to ‘formalize, control and monitor’ the Syrian presence in Lebanon (Lebanon Support, 2016a, p.9), this formalization paradoxically resulted in increased informality and illegality. More than half of the Syrians in Lebanon are now without valid status papers (Janmyr, 2016, p. 72). This difficulty, often impossibility, to legalize their stay is a major concern for refugees who feel they are ‘forced to break the law because the Lebanese government didn’t give us another choice’ (refugee cited in Lebanon Support, 2016b, p.34; see also Dionigi, 2016, p.26).

3.2. Consequences: marginalization, fragmentation, and securitization

The response of the Lebanese government to the Syrian refugee crisis has thus evolved from a passive ‘no-policy-policy’ logic to a stance that actively produces informality. This development culminated in a situation of institutional ambiguity that has marginalized refugees, fragmented the humanitarian response, and securitized the approach of national and local authorities.

3.2.1. Marginalization

Institutional ambiguity has greatly contributed to the vulnerability of Lebanon’s Syrian refugees. The refusal of the Lebanese government to acknowledge refugees as refugees and refugees’ de facto exclusion from legal residency has placed them outside the legal protection that these statuses should provide (Knudsen, 2017; Thorleifson, 2014). The subsequent formalization of the informality that was generated by the initial ‘no-policy-policy’ led to yet other forms of vulnerability. In this sense, legal and institutional ambiguity have created a ‘protection gap’ that enables vulnerability which in turn facilitates exploitation. Institutional ambiguity thereby abandons refugees to extreme forms of marginalization and abuse.

The combination of severe regulation and arbitrary enforcement has made Syrian refugees in Lebanon extremely dependent on Lebanese landlords, sponsors, notaries, and (local) state authorities (particularly *makhatir*, municipalities, and General Security officials) to obtain the relevant documentation and the related ‘lenience’ to get this documentation ‘accepted.’ This opens the door to widespread exploitation in terms of residency and labor and, in effect, a range of human rights violations (Amnesty International, 2015, p. 5). Syrian participants in a focus group conducted in Bebnine explained their complete dependence on the ‘goodwill’ of their employer: ‘Sometimes they even don’t pay us at all. What can we do?’⁹ As we discuss in more detail in the subsequent section, there are ample accounts of harassment, abuse, and mistreatment of refugees at the hands of sponsors, employers and landlords (Al Masri, 2015; Amnesty International, 2015; Lebanon Support, 2016b).

Syrians in Lebanon fear leaving their shelters because of the possibility of being arrested at a checkpoint and their ‘illegality’ thus severely limits their freedom of movement. Many Syrians interviewed explained how cautious they became following the implementation of the policies. One refugee living in an informal settlement in Zahle said: ‘I now avoid to commute and take jobs outside the locality where I live.’¹⁰ An NGO manager from the Bekaa explained how, after the issuing of the October Policy, Syrian refugees ‘are scared to work illegally, especially in the rural areas where they can be easily identified and arrested.’¹¹ Yet, focus groups conducted in Bebnine and Qab Elias indicated that ultimately refugees’ survival strategies trump their fears and they generally take the risk to work and commute despite the possibility of being arrested.¹² Thus, while these policies have

cultivated continuous feelings of fear and uncertainty among Syrians, they are at the same time ineffective in reaching their formally stated aim. This is partly the case because alternative modes of employment are generally impossible to access due to the convoluted and constantly shifting bureaucratic maze created in this regard. One Lebanese participant to our focus groups for instance reported not being able to sponsor his Syrian assistant because he was asked to provide property deeds.⁹ The precarious legal situation that follows from the illusory regulations and associated Kafkaesque bureaucracy deprives refugees from ‘enrolment in public schools, opening a bank account, and acquiring lawful employment’ (Janmyr, 2016, p. 73).¹³

The ‘no-camp-policy’ has exacerbated this fundamental insecurity that follows from refugees’ illegalization. It has made them even more vulnerable to raids and evictions and exploitation by landowners and *shawishes*, the de facto camp commanders of informal Syrian refugee settlements (Ghaddar, 2017). Thus, while the vulnerability produced by institutional ambiguity encompasses all Syrian refugees in Lebanon, and while self-settled refugees in urban settings face important spatial insecurity as well, the spatial manifestations of institutional ambiguity are particularly pertinent in the informal settlements we studied. Since the beginning of 2015 until October of the same year, 115 informal settlements sheltering 18,000 individuals were evicted throughout Lebanon (United Nations Office for the Coordination of Humanitarian Affairs, 2015). In April 2017, the Lebanese Army ordered the eviction of 10,000 refugees from informal settlements in the Bekaa (Ayoub, 2017). In Riyaq town alone, 142 sites or 12,655 individuals were evicted in May 2017 (UNHCR, 2017).

3.2.2. Fragmentation

In addition to this marginalization of Syrian refugees in Lebanon, the initial absence and later ambiguity of government policy have also fragmented the response that did emerge (Fakhoury, 2017, p. 690; Ghaddar, 2017; Mourad, 2016). The UNHCR, national and international NGOs, and local organizations progressively stretched their mandate to fill the gaps left by the government. The UNHCR took the leadership in developing and implementing annual Regional Response Plans long before the government agreed to coordinate interventions through the LCRP. Yet the combination of a huge number of donors and stakeholders, some of them recently established and many falling outside the UNHCR coordination system, and the absence of (coherent) government policy meant that ‘the mandate of humanitarian organizations in the country remained poorly defined’ and resulted in pervasive duplication and inefficiencies (Boustani et al., 2016, p. 14). NGO managers unanimously reported that the fragmented landscape of coordination and the large number of actors operating in such a small country hindered the implementation of an efficient response strategy.¹⁴ Coordination of various projects and programs was reported to be ‘flaky’ and exceptionally challenging in the absence of a clear official policy such as those in place in other host countries in the region (Boustani et al., 2016, p. 8). The lack of legal status of refugees and the informal nature of the settlements in which they stay have tremendously hampered organizations’ efforts to improve living conditions.

The ‘no-camp-policy’ specifically proved to be challenging to the humanitarian response. The formal position against camps did not

(footnote continued)

Refugee Council (NRC), 2013, p.6; see also Albarazi & Van Waas, 2016). Janmyr (2016, p.73) cites a 2014 survey that estimated that 72 per cent of Syrian refugee newborns in Lebanon did not have an official birth certificate because the parents could not fulfill the associated bureaucratic requirements. This situation generates intolerable psychological stress and related health and social problems (p.1; Shawaf & El Asmar, 2017).

¹³ Interviews by Jessy Nassar – Beirut, 21 July 2014, 11 August 2015, 2 November 2015 and 8 March 2016.

¹⁴ Interview by Jessy Nassar – Bar Elias, 11 August 2015.

⁸ Interview by Jessy Nassar – Beirut, 13 August 2014.

⁹ Jessy Nassar and others – Bebnine, 13 February 2016.

¹⁰ Interview by Jessy Nassar – Zahle, 21 August 2015.

¹¹ Conducted by Jessy Nassar and others – 12 February 2016.

¹² Since obtaining a birth certificate requires valid legal status, this also means that Syrian children born in Lebanon risk statelessness (Norwegian

prevent the emergence of thousands of informal camps, or ‘tented settlements’ that spread across the North and the Bekaa in an unorganized manner. In 2016, 41 per cent of Lebanon’s Syrian refugees lived in shelters that did not meet the minimum humanitarian standards, twelve per cent were sheltered in non-residential structures like shops, garages, and worksites, and seventeen per cent were based in informal tented settlements (UNHCR, United Nations Children Fund and World Food Program, 2016, p.19). The absence of official camps – especially in combination with the absence of a coherent policy and the overwhelming lack of legal status of refugees – has increased the difficulty for humanitarian organizations to provide for refugees (El Mufti, 2014). Because self-settled refugees and those in informal settlements do not have recourse to law in case they are evicted (Knudsen, 2017), their protection becomes precarious (Thorleifson, 2014).

3.2.3. Securitization

Institutional ambiguity has not just marginalized refugees and fragmented the overall response, it has also resulted in a securitization process that further contributes to refugees’ vulnerability (Ghaddar, 2017; Mourad, 2016). In 2014, Lebanon’s President designated the presence of an overwhelming number of Syrian refugees in Lebanon an ‘existential threat.’ (Dionigi, 2016, p. 20). The perception of Syrian refugees as predominantly a security threat (rather than a humanitarian problem) has, for instance, been one of the foundations under the ‘no-camp-policy:’ large concentrations of refugees were to be avoided for fear of becoming ‘terrorist hotbeds’ (Turner, 2015). This national securitization of refugees has had severe consequences locally. Scholars and practitioners agree that Lebanon’s municipalities have accomplished a lot in the face of limited resources, capacities, and instructions and donors and humanitarian agencies have described municipalities as ‘among the best local partners in their intervention to support the crisis’ (Boustani, 2014; see also; Boustani et al., 2016). Defying national ‘no-policy-policy,’ municipalities were placed at the interface between refugees and the humanitarian agencies assisting them and often took on a leading role in the de facto administration of refugees and the management of their everyday affairs.

This positive role notwithstanding, in the absence of a central guideline on how to respond, the pressure that informal settlements put on local communities and infrastructures has made local authorities and communities consider refugees a threat (Ghanem, 2016, p. 42). The securitization of the response, for instance, has led the owner and manager of a big tented settlement in Bar Elias to install security cameras to monitor refugees.¹⁵ Such strategies have sometimes led to a local duplication of the national securitization of refugees. Many municipalities have imposed illegal curfews to control refugees’ mobility. Even where such curfews are not actually implemented, as in Bebnine and Qob Elias, Syrians were still reluctant to commute, especially at night, illustrating how it is exactly the uncertainty produced by such measures – Is this curfew legal? Should I heed it? Will it be enforced formally? If not, could it be informally used as a pretext for abuse? – that has a disciplining effect on refugees. Raids are also sporadically conducted to close down shops that were opened without official permission, even if such shops usually reached agreements with Lebanese owners, and municipalities condone street patrols and vigilante justice implemented by militias (Carpi et al., 2016; Fakhoury, 2017, p. 687; Human Rights Watch, 2014; Nassar, 2014). Although these measures are illegal, local authorities often publically announce them and are not kept in check by national authorities in this regard.¹⁶

4. Causes: ‘no-policy-policy’ and ‘formal informality’ as manifestations of strategic institutional ambiguity

Above we have described the characteristics and consequences of the ‘no-policy-policy’ and the ‘formalizing informality’ policy that have determined the Lebanese government’s response to the Syrian refugee crisis. In this section, we are concerned with the causes of this institutional ambiguity. We argue that the current focus on the lack of capacity and resources that the Lebanese government has at its disposal tells only part of the story. There is also a more strategic agency to this response that has revolved around the core aims of ‘encouraging’ as many refugees as possible to leave and shirking responsibility for those that remain.

The ‘no-policy-policy’ and the formalization of informality are often seen to be the result of a lack of financial resources and human capacities on the one hand and the sectarian nature of Lebanon’s political system and the concomitant politicization of the refugee crisis on the other hand. Fakhoury (2017) explains Lebanon’s refugee response as a one-on-one consequence of what she calls ‘the defining dynamics of the country’s politics of sectarianism:’ slack governance, fractured and antagonistic elites, and dependence on non-state actors (see also Dionigi, 2016, p. 12; Hamdan & Bou Khater, 2015, p.34; Levy & Shamiyeh, 2016; Saghieh & Frangieh, 2014; Shawaf & El Asmar, 2017, p.8). Ghaddar (2017) concludes that ‘political deadlock due to intense political fragmentation continues to deny any concrete plan to accommodate the huge population influx.’ Many policies were drafted but failed to be adopted (let alone implemented) due to this. As Boustani et al. (2016, p.10) describe, for instance, the response plan presented by the government in December 2012, which was concerned with distributing various tasks to different ministries, stranded because the acting cabinet resigned and the following cabinet failed to adopt it. This paralysis and inability is exacerbated by the fact that Lebanon is still struggling to recover from a range of wars (from the 1975–1990 Civil War to the 2006 War between Hezbollah and Israel) and faces a huge national debt (Hamdan & Bou Khater, 2015, p.34). In short, as Dionigi (2016, p.10) sums up this reading of Lebanon’s refugee response, Lebanon’s capacities in terms of infrastructure and know-how are simply insufficient to deal with a crisis of this magnitude.

We do not contest the importance of this set of explanations. Our fieldwork corroborates that a lack of capacity, funds, and political and institutional ‘infrastructure’ certainly account for a large extent of the response that we have here captured as ‘no-policy-policy’ and ‘formalizing informality.’ What we suggest, however, is that this explanation is necessary but insufficient to understand the emergence and persistence of the institutional ambiguity we described. In addition to a lack of (political) ability, we argue, a lack of political will to develop a constructive and effective response is indispensable in understanding the current situation of Syrian refugees in Lebanon. In a way, the turn to ‘no-policy-policy’ and ‘formalizing informality’ constitutes a response in its own right. In this, we build on our own empirical findings and on others’ acute analysis of the ways in which ‘state inaction’ affected refugees, local authorities, and international agencies (Mourad, 2016, p.49; Saghieh, 2015). As also recognized by Sanyal (2017, p.120), for instance, the ambiguous encampment manifested in informal settlements ‘emerged out of the tacit approval of the state’ that is not merely unable but also ‘unwilling to shoulder the burden of refugees.’

Institutional ambiguity need not be inherently maleficent. Authorities can also extend it to create leeway for refugees and their ‘looking away’ may be benign rather than exclusively aiming to marginalize refugees. Refugees themselves, moreover, might utilize the blurred boundary between formality and informality in creative and subversive ways (Bayat, 1997; Stel, 2015a, 2016). However, for our case-study at hand, as we have shown, the governing effect of institutional ambiguity overwhelmingly works to the benefit of those with power rather than the subaltern. In Lebanon, the initial ‘no-policy-policy’ was, in essence, a manifestation of the ostrich syndrome that

¹⁵ Interviews by Jessy Nassar – Beirut, 2015 and 2016.

¹⁶ Interview by Jessy Nassar – Beirut, 18 July 2014.

assumes that if one just ignores a problem it will eventually disappear (Saghieh & Frangieh, 2014). Not to recognize refugees, not to establish camps, and not to develop regulations, was, at first, a way of dodging a politically sensitive issue and legal responsibility at the same time.

The subsequent policy of formalizing informality, however, seems to have had the aim to discourage new refugees from entering and to encourage existing refugees to leave through a ‘strangulation’ approach, a campaign to produce what Davies and Isakjee (2015, p.93) have called ‘deliberate indignity’ and to make refugees’ life so precarious, unpredictable, and insecure that they at all costs avoid long-term settlement. Vulnerability and existential uncertainty of refugees have served as a potent strategy to discourage new refugees to come to Lebanon and to encourage residing refugees to leave. Even if it is impossible for most Syrians to return to their home country, Syrians interviewed across Lebanon confirmed how restrictions on their mobility, residency, and right to work affects their lives and plans. The illegal yet formalized imposition of curfews is one example of how this translates at the local level; although curfews imposed in localities including Bebnine and Qob Elias were not really implemented, they successfully limited the movement of Syrians especially at night, and made them feel their presence is undesirable.

Policy-makers surely realize the futility of these policies when assessed in a traditional sense. As Bidinger et al. (2014, p.42) note: ‘If most people cannot afford to pay the renewal fee and choose to re-enter Lebanon or reside without valid permits, then the fee serves no useful purpose. It only acts as a means of exercising control and instilling fear.’ This – instilling fear –, however, may well be the real purpose of such policies as it paves the way for the ultimate aim to ‘encourage’ refugees to leave. Crucially, Lebanon’s October 2014 policy paper explicitly states that one of the three core priorities of the government is to reduce the number of refugees in the country ‘by all possible means.’ As Frangieh (2014, 2017) demonstrates, one of these means is the leveling of ambiguous and arbitrary residency and detention regimes which produces the uncertainty and vulnerability that would make refugees leave Lebanon. Thus, the Lebanese government’s stated policy priority regarding the Syrian refugee crisis – the desirability of imminent return of refugees being one of the few things Lebanon’s contending political powers in principle agree on – is conveniently served by the evident consequences of institutional ambiguity and its policy ‘evasion’ and ‘gaps’ (Atallah & Mahdi, 2017, p. 9). This further illustrates the strategic nature of institutional ambiguity for Lebanon’s governing elites.

An advisor to the Minister of Interior actually acknowledged that one of the government’s strategies ‘is to make refugees feel that they are not living a good life; the more they are living in a deprived way, the faster they will be forced to leave.’¹⁷ As Aranki and Kalis (2014) argue, the constant situation of ‘being in limbo for refugee status’ (Latham, 2010, p. 187) forces Syrians to either accept deportation or expose themselves to new risks as a result of being forced underground. This analysis is corroborated by Parkinson and Behrouzan (2015, p.329) who describe the way in which ‘members of the cabinet and party leaders have publicly emphasized their desire to deport refugees from Syria and/or disincentivize further refugee flight to Lebanon.’ NGOs have also increasingly voiced their experience that ‘the Lebanese government is purposefully making life more difficult for refugees with the hope that it encourages them to leave quicker’ (Levy & Shamiyeh, 2016, p. 36). Amnesty International (2015, p.26) suggests that the ‘onerous requirements introduced by Lebanon appear to be part of a deliberate policy to deny refugee status to people fleeing Syria and to reduce the number of refugees in Lebanon by making life there next to impossible.’ Ghanem (2016, p.55), too, understands the ‘selectivity and nebulousness’ that characterize the application of the LCRP categories for entry as a tactical approach to force refugees out of the country.

As ‘no-policy-policy’ shifted towards the formalization of

informality, moreover, the functionality and tenacity of the institutional ambiguity generated by the government’s inaction and ambiguity was further entrenched. The exploitation of Syrian refugees that we described as a consequence of institutional ambiguity above has served various stakeholders that can now be assumed to have an interest in maintaining institutional ambiguity to protect these interests. A wide array of ‘middlemen’ and brokers has surfaced as indispensable to the informal governance systems and flourishing gray economy through which refugees seek to access shelter, livelihoods, services, and security (Lebanon Support, 2016b, p.23).

Institutional ambiguity paved the way for uncontrolled profit-making as landlords increased rent prices on Syrians as well as Lebanese households. As noted above, it has also generated tremendous power in the hands of Lebanese acting as sponsors to Syrian refugees looking for legal labor status, resulting in a relation Janmyr (2016, p.76) describes as ‘analogous to a parent and child, or alternatively, master and slave.’ Lebanon Support (2016a, p.19) similarly stresses that ‘as Syrians’ legal status is conditional upon these *kafeels*, employers and brokers, it puts them in a position of power.’ Shawishes, according to Al Masri (2016:16) ‘are often complicit in the exploitation of Syrian day labourers and in allowing for the harassment or exploitation of Syrian refugee women.’ For Ghaddar (2017), this is a direct result of the Lebanese government’s ‘problematic, ad hoc’ approach to the crisis that ‘allows informal security actors, such as the *Shawishes*, to thrive in Lebanon’s informal refugee camps.’

Focus groups confirmed the expansion of illegal businesses such as selling donations and aid, human smuggling to Europe, sponsorship facilitation processes, exploitation of Syrian tenants in formal and informal settlements, and embezzlement of aid and assistance. This ‘business’ dimension of informal governance systems emerges through informal networks and connections with political parties, as in Qob Elias and Bar Elias, or with tribal leaders, like in Bebnine. Both Syrians and host communities complained that some Lebanese take shares of the assistance distributed to refugees and sell them for an inflated price, take commission fees on services they provide to refugees and NGOs, and demand sexual services in return for money or aid.¹⁸ According to refugees and key informants, these profiteers are often connected to the municipality which is in its turn backed by a political party or alliance.¹⁹

The institutional ambiguity convenient for national state authorities and local middlemen was further anchored as it was reproduced by the humanitarian agencies working within this vague and conflicted institutional system and by refugees themselves. Various humanitarian organizations mentioned the urge to work around the system when a response from the national level remained absent mostly using informal networks and Lebanese connections.²⁰ Our focus group data brought to light that especially new donors seem to be disrupting attempts by INGOs to implement a formal mechanism of aid delivery that contains abusive practices.²¹ Instead of following a strategy for aid distribution, they delegate distribution to individuals who are randomly appointed based on personal connections. Furthermore, focus group discussants

¹⁸ Interviews by Jessy Nassar – Bar Elias, March and August 2015; Bebnine, 12 February 2016. It should be noted that access to services and resources also depends on the nature of the shelter where refugees reside. Fieldwork in Bar Elias has for instance revealed that those who live in more organized settlements which are managed by donors including charitable and faith-based institutions from the GCC (such as Awde camp) are much more connected and assisted than the informal settlements which were not ‘adopted’ by any organization (like Tal Al-Sarhoun, the biggest informal settlement in Bar Elias). In other words, this conclusion only proves how the settlements which are more connected to political parties or unconventional donors are the ones that receive most of the attention.

¹⁹ Interviews by Jessy Nassar – Beirut, 2015.

²⁰ Interview by Jessy Nassar, 12 February 2016.

²¹ By Jessy Nassar and others – Bebnine, 12 February 2016.

¹⁷ By author and others – Qob Elias and Bebnine, February 2016.

and interviewees confirmed that the more well-connected Syrians are, the higher their chances to receive aid. The selection of ‘beneficiaries’ is not only dependent on personal and economic interests but also on gender-based discrimination. It was also repeatedly mentioned that these focal points distribute only a part of the aid received and use the rest to make profit.²²

Local authorities also benefit from the exploitative political economy produced by institutional ambiguity. Municipalities play an indirect role in channeling aid, often through political parties whose institutional boundaries with municipal officials are blurred. In many instances, the involvement of municipalities in aid politics takes the form of negotiations between them and donors. For example, while UNHCR and partner agencies make concessions with local authorities through the implementation of infrastructural projects, authorities promise that they will keep handling the burden of refugees in return. *Makhatir* also saw their position increase in relevance as a result of the rising demand for personal status papers and legal documents from the refugee community (Stel, 2015b).²³ One of the *makhatir* interviewed in Qob Elias reported that the closer the *mukhtar* is to the party in power, the easier it is for them to facilitate and serve the community.²⁴

As such, our empirical findings show that Lebanese and Syrians are both victims of the loose socio-political and economic systems where laws are arbitrarily implemented, violated, and consistently abused. As a result, refugees also replicate ambiguity in order to cope with their everyday precariousness, as for instance illustrated by residents' struggles to access electricity in the informal settlement of Qob Elias. Municipal police regularly conduct inspections during which illegally installed electricity lines are cut down. The refugees, however, always reinstall the old networks. As a resident of Qob Elias explained, state and refugees co-create informality as there is an ‘unspoken agreement between the police and the refugees that the former will continue to stop the violations every now and then while knowing that the latter will always reinstall the illegal lines the next day.’²⁵ Refugees from the Bekaa similarly found that the hazardous nature of the state's response drives them to reproduce the system that governs them by relying on informal networks and channels to access different types of services such as health care, education, employment, and housing.²⁵ Our empirical insights thus confirm Ghaddar's (2017) conclusion that the ‘non-existent national refugee policy and a proliferation of poorly coordinated emergency response plans by international aid organizations were met with strong, illegal, and hybrid networks.’

Policies aimed at governing refugee spaces and communities may thus not always, as is routinely assumed, respond to informality or institutional ambiguity, but at times seek to produce or maintain it. Even if institutional ambiguity may have not been strategically pursued from the outset, it has become closely tied to the interests of both old and new ‘strongmen.’ Not making policy, not recognizing refugees, not establishing camps, may then be the most effective way to force refugees to leave and to avoid responsibility for those that do not. Generating uncertainty and insecurity by ambiguous and arbitrarily enforced measures could be an equally potent alternative strategy towards the same end. As such, institutional ambiguity may be a way for the Lebanese government to produce what Frangieh (2016, p.38) has called a ‘state-to-UN responsibility shift’ and constitutes a particular form of Fakhoury's (2017, p.683) ‘politics of outsourcing.’

5. Reflections and implications

Faced with the arrival of an estimated 1.5 million refugees, Lebanon

is doing much more than could reasonably be asked from the already tormented country. Understanding how Lebanon governs the refugee crisis it currently faces is of profound relevance. The response of the Lebanese government has evolved from a ‘no-policy-policy’ that refused to give refugees legal status, rejected the establishment of official refugee camps, and avoided official regulation to a formalization of this informality by a combination of stringent entry and residency regulations with confusing communication, regular changes, and arbitrary enforcement. This development from inaction to ambivalent action on behalf of the Lebanese state has resulted in a situation of institutional ambiguity that contributes to the marginalization of refugees, the fragmentation of the humanitarian response, and the securitization of local engagement between host and refugee communities.

This institutional ambiguity is usually explained through references to the inevitable chaos that emerges in the wake of major crises, the lack of financial as well as human resources of the Lebanese state, and Lebanon's dysfunctional political system that is characterized by chronic deadlock and paralysis. Whereas we do not challenge the importance of these structural explanations, this article has suggested that we need to take into account an additional set of explanations that depart from a more agency-oriented and strategic positioning. We have demonstrated that institutional ambiguity has served as a tactic to effectively expel refugees (by forcing refugees into illegality and rendering them extremely vulnerable to Lebanese as well as Syrian ‘middlemen’) and evade responsibility for dealing with them. We have shown that the ‘not acting’ that served as the foundation of the ‘no-policy-policy’ and the ‘not knowing’ that underpins the arbitrary implementation of the policies that have been adopted serve entrenched socio-economic and political interests. Institutional ambiguity, then, should, to a degree, be considered as a governance strategy in its own right.

This insight was enabled by reading our empirical material as well as the existing literature and documentation through an agnotological lens. Agnotology theory allows a shift away from the dichotomous ideal-types captured by the categories of ‘formal’ and ‘informal’ towards the idea of institutional ambiguity, which better reflects the multiplicity and volatility of everyday governance in situations often labeled as ‘informal.’ Agnotology urged us to explore institutional ambiguity not as the absence of regulation or documentation but as the exclusion from state regulation and documentation. This puts state responsibility at the centre stage and demands a more political reading of the ‘state abandonment’ and ‘violent inaction’ (Davies et al., 2017) constituted by state-produced informality and ambiguity (Roy, 2005). As state representatives and experts have repeatedly acknowledged in the context of our own and others' research, institutional ambiguity serves a purpose for the central government by allowing it to avoid responsibility. In addition, it has by now become part of a perverse status quo in which it is reproduced by local authorities, humanitarian organizations, and refugees themselves.

This ‘ambiguous exercise of power’ (Oesch, 2017, p. 11) or ‘agnotopolitics’ (Davies et al., 2017, p. 14) in the context of the Syrian refugee crisis in Lebanon has conceptual as well as applied implications for debates on the politics of migration. It furthers our understanding of the political utility of what Kuusisto-Arponen and Gilmartin (2015, p.143) call the ‘precarious refugee’ that is produced through ‘permanent spaces of politico-administrative limbos.’ It does so by empirically substantiating how and why processes of ‘narrowing legality’ and ‘producing illegality’ serve socio-economic and political interests (Gorman, 2017, p. 40). This underscores how such dynamics border and exclude particular populations and it conceptualizes refugees' need to ‘continually engage with an unpredictable slew of temporary and ad hoc legal remedies’ as an imposed governmentality rather than a contingency of displacement (Gorman, 2017, p. 44). There is increasing attention for the role that ambiguity, risk, and unpredictability plays in refugee life. Within the refugee studies literature, however, this attention is directed first and foremost to refugees' lived experience of

²² Interviews by Jessy Nassar – Bebnine and Qob Elias, February 2016.

²³ Interview by Jessy Nassar and others – Qob Elias, 18 February 2016.

²⁴ Focus group discussion by author and others – Qob Elias, 18 February 2016.

²⁵ Interviews by Jessy Nassar – Qob Elias and Bebnine, February 2016.

uncertainty. We have complemented these emerging insights by engaging with Horst and Grabska's (2015, p.6) call to extend such attention to the 'considerable role' of uncertainty in the 'systems that govern the displaced.' Building on Katz's (2016:154) consideration of the ways in which Israel has used 'governance strategies of ordered disorder and strategic confusion' to discipline Palestinian refugees and further its own stateness and inspired by Biehl's (2015) analysis of the ways in which Turkey uses unpredictability to pacify refugees, we have furthered conceptual thinking beyond the ways in which refugees deal with uncertainty to the ways in which authorities govern through uncertainty.

By using agnotology as heuristic lens to tease out the strategic components of the ambiguous modes of governance that are used to deal with refugee populations and spaces, we build on and extend earlier work on the agnotology-refugeeness nexus by Stel (2015a, 2016) and show that 'the politics of uncertainty' do not just inform evictions in informal Palestinian refugee settlements, as she demonstrates, but are far more encompassing in Lebanon's governance of refugee spaces and populations. These insights reiterate the importance of critical, independent, and political analyses of issues related to migration and refugeeness (Fiddian-Qasmiyeh, Loescher, Long, & Sigona, 2014, p. 16). In refugee studies, infamous for its all too tight relations to policy-making (Fiddian-Qasmiyeh et al., 2014, p. 4), institutional ambiguity is routinely regarded as an unfortunate by-product of limited resources or misguided rationales that undermine authorities' attempts to formally govern the refugee presence in a particular country (Bakewell, 2008). We have exposed this perspective as insufficient and point towards the agential elements of ambiguity. Policy-makers and practitioners working to assist refugees and the governments of the countries that host them need to acknowledge this potentially strategic – and therefore likely even more complex and tenacious – nature of the institutional ambiguity they encounter in their work. Mapping the 'political economy' of (in)formality, in other words: explicitly exploring who benefits from ambiguous governance modes in what way, should then become part of the policies, programs, and projects that seek to help refugees and host communities.

Acknowledgements

This article was previously presented at the European International Studies Association conference 'The Politics of International Studies in an Age of Crises' (Barcelona, 13-15 September 2017). We would like to thank the discussant and participants of the panel titled 'The Politics of Ignorance, Ambiguity and Uncertainty: Furthering an Inter-Disciplinary Development of Agnotology,' for their inspiring feedback. Jessy would like to thank all participants and institutions who enabled her to conduct her fieldwork. A special thank you goes to the Lebanese Centre for Policy Studies (LCPS). Nora would like to thank the Niels Stensen Fellowship for enabling the research underlying this article. We are also grateful for the feedback provided by two anonymous reviewers.

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