

What is Policy Research For? Reflections on the United States' Failures in Syria

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Abstract

Debates over the Syrian civil war and the role of U.S. policy have brought into sharp relief the dilemmas of policy research. When the basic thrust of policy seems immovable irrespective of events on the ground, how should researchers respond? Should influencing policy be the animating objective of policy research? Who exactly should our work be directed to? This article considers the evolution of the Obama administration's U.S.-Syria policy and what it has meant for those of us in the policy community who (apparently futilely) wrote in favor of a fundamentally different course of action. Two approaches to policy research are discussed in detail as they relate to Syria. The first is to accept the narrow constraints of policymaking and tailor one's recommendations accordingly. The second is to not accept "reality" as a given and to write about what should happen, however unlikely it might be. In the second approach, the priority is on shaping public debate as well as influencing internal *dynamics* within government, rather than on tangible policy *outcomes*.

Keywords

Syria – refugees – United States – Obama Administration – policy research

For those of us who research and write on U.S. foreign policy, the Syrian civil war brought to the fore, in a way few other things could, the dilemmas of our

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work. One of the goals of the policy community is to, of course, influence the policymaking process. What happens, though, when that process, and the people who lead it, have little interest in outside counsel?

This wasn't a problem of a lack of knowledge or the willful disregard of facts, as is sometimes the case in government. Officials in the Barack Obama administration were not oblivious to what was going on in Syria. It was more a question of "ideology," that dreaded word, and not one normally associated with the Obama administration.

President Obama styled himself a technocratic pragmatist, always interested in what "worked." But the evolution of U.S. policy toward Syria seemed to bely this characterization. Obama's "defensive minimalism" on Syria and the broader Middle East, to use David Rothkopf's phrase, was not incidental;¹ it was a product of a deeply held conviction that the use of American power in Syria would only make matters worse. A focus on the president – just one man, however powerful, in a massive bureaucracy – might seem odd, tiresome even. But this was an unusual presidency: American foreign policy, particularly in the Middle East, was dependent on this one man to an exceptional degree. Whether it was President Obama's last-minute decision in August 2013 to back off from airstrikes against the Assad regime or his unwillingness to focus more attention on Syria after ISIS's rise became all too obvious, Obama has rejected the advice of allies abroad as well as senior officials in his own administration.

What did this mean for the policy community? The basic thrust of President Obama's approach to Syria was basically immovable. From 2011 onwards, the context on the ground changed dramatically, yet the administration's overarching objective remained more or less the same: minimize U.S. involvement as much as possible. In 2011, the Syrian civil war was not yet a civil war; it was a largely peaceful uprising. As the Assad regime insisted on using brute force against protesters, massacring thousands, the opposition gradually militarized. By early 2012, mainstream rebel forces – extremists were yet to play a dominant role – were making significant gains, marching ever closer to Damascus. In the absence of meaningful international support, however, rebels were unable to maintain momentum and suffered from growing internal divisions. With a growing political and power vacuum, hardliners and extremists, who gradually established themselves as the best equipped and resourced on the battlefield,

1 David Rothkopf, "Obama's 'Don't Do Stupid Shit' Foreign Policy," *Foreign Policy*, June 4, 2014, http://www.foreignpolicy.com/articles/2014/06/04/obama_dont_do_stupid_shit_foreign_policy_bowe_bergdahl.

gained at the expense of mainstream rebels. What has changed the most – and we should never lose sight of this part of it – was the sheer number of those who perished.

When I first called for military intervention – through establishing no-fly and no-drive zones and diminishing the Assad regime’s ability to kill – it was March 2012.² Only about 7,000 had died. At the time, it seemed like a lot – after all, the U.S. had decided to intervene in Libya when the death toll was estimated at somewhere between 1,000 and 2,000.³ At the time of writing, the death toll in Syria is over 240,000, with an additional 3.8 million refugees and 7.6 million internally displaced persons, making it one of the worst humanitarian catastrophe in recent decades.⁴

As much as the “facts on the ground” changed from 2011 to 2015, Obama – and U.S. policy – proved remarkably consistent. The changes that did occur, after considerable internal and outside pressure, including from frustrated allies, were half-measures that seemed less like policies and more like concessions to promote the perception of action, such as authorizing the Central Intelligence Agency to begin training “moderate” rebels or increasing nonlethal (food and medical) aid.⁵ Responding to ISIS’s dramatic rise in late 2014, the administration announced a program to train 5,000 fighters, a fairly insignificant number in a theatre of over 100,000 rebel fighters. Somewhat remarkable, a year later, only 54 rebels had been trained.⁶ In short, it seemed to matter little what happened inside of Syria. Obama’s Syria policy was largely a function of domestic considerations, the desire to limit U.S. involvement in the region, as well as the concern that any intensification of US activity in Syria might complicate negotiations with Iran over its nuclear program.⁷

2 Shadi Hamid, “Who Will Save Syria?,” *TIME*, March 12, 2012, available at <http://www.brookings.edu/research/articles/2012/03/syria-hamid>.

3 James Downie, “When Numbers Lie,” *New Republic*, April 1, 2011, <http://www.newrepublic.com/article/world/86090/libya-death-toll-war-qaddafi>.

4 Liz Hummer, “Quick facts: What you need to know about the Syria crisis,” MercyCorps, July 20, 2015, <http://www.mercycorps.org/articles/turkey-iraq-jordan-lebanon-syria/quick-facts-what-you-need-know-about-syria-crisis>.

5 Josh Rogin, “Obama’s Syria Aid: Too Late?,” *The Daily Beast*, June 13, 2013, <http://www.thedailybeast.com/articles/2013/06/13/obama-s-syria-aid-too-late.html>.

6 Anne Barnard and Eric Schmitt, “Rivals of ISIS Attack U.S.-Backed Syrian Rebel Group,” *New York Times*, July 31, 2015, http://www.nytimes.com/2015/08/01/world/middleeast/nusra-front-attacks-us-backed-syrian-rebel-group.html?_r=0.

7 For a discussion of “linkage,” see Shadi Hamid, “Why I’m Torn About the Iran Deal: Was it Worth it?,” *Brookings Institution*, July 15, 2015, <http://www.brookings.edu/blogs/markaz/posts/2015/07/15-middle-east-iran-deal-obama-hamid>.

On most policy issues, an understanding of the interagency process and tensions between and among various departments (State, Defense, and intelligence agencies) and the White House is necessary if outside groups wish to influence internal debates. And, of course, around the margins, this was important for Syria as well, particularly when it came to the *management* of the crisis, including through humanitarian aid and refugee policy. But for those who hoped for any significant change in the U.S. posture toward the Assad regime or any serious initiative to protect civilians through the establishment of safe zones or humanitarian corridors (which would have required air support), then the conversation was unlikely to be productive.

For obvious reasons, senior officials are more likely to influence government policy than anyone on the outside, however influential. Yet, two of the most senior individuals working on Syria policy – U.S. ambassador to Syria Robert Ford and special advisor for transition in Syria Frederic Hof – grew frustrated with U.S. inaction and eventually resigned. Here were two of the State Department’s most skilled diplomats, yet they came to the conclusion that, in the absence of political will and interest from the White House, their efforts were growing ever more futile.

As Ford explained afterward: “Our policy wasn’t evolving, and finally I got to the point where I could no longer defend it publicly. And as a professional career member of the U.S. diplomatic service, when I can no longer defend the policy in public, it is time for me to go... We have consistently been behind the curve.”⁸ Fred Hof described how widespread support within the Obama administration for arming Syrian rebels – Clinton, Panetta, Petraeus, and Dempsey all backed the proposal – was stymied by an intractable president convinced that the Syrian opposition was a “hopeless collection of former butchers, bakers and candlestick makers.”⁹ Even when political pressure forced the president’s hand and Congress was asked to fund a trip-and-equip program, the Obama administration made the request half-heartedly over email rather than in person, without any follow-up lobbying or consultations.¹⁰

8 PBS Newshour, “Former U.S. ambassador says he could ‘no longer defend’ Obama administration’s Syria policy,” *Public Broadcasting Service (PBS)*, June 3, 2014, <http://www.pbs.org/newshour/bb/syrias-moderate-opposition-needs-help-ground-says-former-ambassador/>.

9 Fred Hof, “Saving Syria Is No ‘Fantasy,’” *Politico*, August 11, 2014, <http://www.politico.com/magazine/story/2014/08/mr-president-saving-syria-is-no-fantasy-109923.html#ixzz3hmnRmAl4>.

10 Ibid

Of course, it is difficult to fundamentally re-orient policy on a particular issue even in the best of circumstances, and these certainly weren't the best of circumstances. Once administrations commit themselves to a particular policy – even one of avoidance – it becomes difficult to reverse course, particularly when doing so would require some implicit or explicit admission of fault. Yet this is more or less what happened under both the Clinton and second Bush administrations. In the early days of the Bosnian genocide, President Bill Clinton resisted growing calls for American action. He was influenced by Robert Kaplan, who argued in his 1993 book *Balkan Ghosts* that the “ancient hatreds” of Bosniaks, Croats, and Serbs were at the root of the conflict.¹¹ “Here men have been doomed to hate,” Kaplan writes, the word “doomed” suggesting the kind of resigned pessimism that is perhaps even more fashionable today. Clinton eventually came around, but it was a slow process, and it required him to come to terms with his own role in looking away amidst a slaughter.¹²

Meanwhile, George W. Bush is often dismissed as the anti-intellectual president, someone who was afraid of ideas, and changing his own. Yet after the first-term disasters of the Iraq invasion and the country's descent into civil war, President Bush eventually concluded that a course correction was needed. He revamped his foreign policy team (bringing on the very non-neo-conservative Robert Gates), sought to rebuilt frayed alliances, and managed to regain (at least some) momentum in Iraq by moving away from the failed policies of 2003–2006, characterized by an indifference to state-building and Secretary of Defense Donald Rumsfeld's “light footprint” policies.

That Obama, in contrast, appeared unwilling to question his original assumptions on Syria, despite rapidly changing events on the ground, suggests an insularity and ideological rigidity rare among recent presidents. The difference in these three cases is that Clinton and Bush relented to outside criticism, however slowly. The ultimate choice was theirs, but they benefited from a growing chorus of criticism over the paths they had chosen, which pushed them to rethink

11 For how *Balkan Ghosts* influenced Clinton, see Michael T. Kaufman, “The Dangers of Letting a President Read,” *New York Times*, May 22, 1999, <http://www.nytimes.com/1999/05/22/books/the-dangers-of-letting-a-president-read.html>.

12 In a 1999 speech to the Veterans of Foreign Wars, Clinton explicitly disassociated himself from Kaplan's arguments, saying: “We do no favors to ourselves or to the rest of the world when we justify looking away from this kind of slaughter by oversimplifying and conveniently, in our own way, demonizing the whole Balkans by saying that these people are simply incapable of civilized behavior with one another.” Bill Clinton, “Remarks to Veterans of Foreign Wars,” *U.S. Department of State Archive*, May 13, 1999, http://1997-2001.state.gov/www/policy_remarks/1999/990513_clinton_kosovo.html.

overall strategy. The Iraq “surge” of 2007 was a product of much deliberation and debate both in and outside of government, and saw a variety of inputs from the think tank community, including the Iraq Study Group, co-chaired by former Secretary of State James Baker, and a sort of counter-Iraq Study Group led by the American Enterprise Institute, featuring influential publications authored by Frederick Kagan and retired four-star general Jack Keane. As the *New York Times* reported, the decision to surge “was made only after months of tumultuous debate within the administration.”¹³ Such a debate wouldn’t have been possible if the Bush administration, at that critical moment, wasn’t open to ideas and recommendations coming from the Washington policy community.

What is Policy Research for?

It is tempting to look at developments in Syria (and, for that matter, in Egypt, Libya, or Yemen) and ask: why do it at all? Isn’t policy research pointless in the face of the determined inaction of Western governments? To the extent that policies are shaped by a lack of “political will” – per Robert Ford’s comments after resigning – then no amount of information and analysis will change an administration’s approach. The political will simply isn’t there.

When it comes to foreign policy, the Bush and Obama administrations couldn’t have been more different – Obama, after all, very self-consciously saw himself as the anti-Bush. There was the aggressive militarism of the Bush administration’s first-term and then there was the Obama’s administration’s “Responsibility Doctrine,” which called for stepping back to allow others to step in, encouraging our Arab allies to take more responsibility for their own region.¹⁴ The core assumptions of these varying approaches were worlds apart, yet both seemed detached from Middle East realities and led, generally, to a series of negative outcomes. Both, in their own ways, engendered proxy battles, undermined U.S. credibility, and facilitated, unwittingly, the implosion of Middle Eastern states.

There are two general approaches to policy research. The first is to accept the narrow constraints of the policymaking process, whatever those might be, and tailor one’s recommendations accordingly. As applied to the Syrian civil war, this would mean avoiding ambitious proposals for, say, the establishment

13 Michael R. Gordon, “Troop ‘Surge’ Took Place Amid Doubt and Debate,” *New York Times*, August 30, 2008, http://www.nytimes.com/2008/08/31/washington/31military.html?_r=0.

14 For more on the “Responsibility Doctrine,” see Nina Hachigian and David Shorr, “The Responsibility Doctrine,” *The Washington Quarterly* 36, no. 1 (2013): 73–91.

of no-fly zones, since they had little chance of being taken seriously by the Obama administration. Instead, any recommendations would basically adapt to the contours of the administration's existing approach, even if the author took issue with those starting assumptions. For example, a researcher might support targeting the Assad regime's military infrastructure but, after judging this a nonstarter for senior officials, reasons: Since it is inconceivable that the administration will do the things I want it to do, let me consider what they *would* realistically do which would also have a positive effect on the ground.

The problem with this approach is that it, in effect, narrows the debate and casts those offering alternative frameworks as imprudent and unrealistic. In early 2012, as the killing intensified, a growing number of analysts and Syria watchers came out in support of U.S. military intervention. They focused on air support for mainstream rebels and carving out safe zones along the Turkish border which could serve as a protected space for refugees and offer rebels a chance to not just hold territory but also to govern and build political legitimacy. The Obama administration hadn't yet closed itself off to these ideas, and even if it had, it was still early days and there was room for the conversation to shift as the situation in Syria worsened. I myself was part of this debate, and we drew on what like-minded analysts were writing, encouraged that we weren't the only ones proposing such options. It was never a particularly large chorus (in fact, it was a tiny minority), but it was big enough to at least put these policy options at the forefront of the public debate, when people were still paying close attention to Syria and before a sense of resignation took over.

In developing my own position, for example, I was influenced by one of the first pro-intervention pieces by a prominent analyst, Steven Cook of the Council on Foreign Relations,¹⁵ as well as a paper by the author Michael Weiss outlining the legality and feasibility of safe zones in various parts of the country.¹⁶ (That paper was "reviewed" by Brigadier General Akil Hachim, a military advisor to the Syrian National Council, and published by the Strategic Research and Communication Centre, which was headed by the U.K.-based Syrian opposition figure Ausama Monajed).

At the time, I had been struggling with the question of intervention, believing that there was a "responsibility to protect," but I was also shaped inevitably by the experience of Iraq and worried that the U.S., however well-intentioned

15 Steven A. Cook, "It's Time to Think Seriously About Intervening in Syria," *The Atlantic*, January 17, 2012, http://www.theatlantic.com/international/archive/2012/01/its-time-to-think-seriously-about-intervening-in-syria/251468/?single_page=true.

16 Michael Weiss, "Safe Area for Syria: An Assessment of Legality, Logistics and Hazards," Strategic Research and Communication Centre, 2011.

and justified this time around, would botch the effort. I wrote that the Obama administration should at the very least begin thinking about and preparing various military options, trying to determine which were the most feasible under the circumstances.¹⁷ Soon enough, as the death toll continued to rise, I wrote in favor of broad-based, multilateral military action, with the U.S. coordinating closely with France, the United Kingdom, Turkey, Saudi Arabia, Qatar, the United Arab Emirates, and Tunisia, all of whom had expressed support, to one degree or another, for military intervention. Prominent former Obama administration official Anne-Marie Slaughter, who was director of policy planning at the State Department, also came out in support of military action.¹⁸

When it became clear that the administration not only had little interest in intervention but also actively opposed it, the conversation began to shift. There was only so much anyone could say about the need to do “more” to protect the Syrian people before it became repetitive. Perhaps the “facts on the ground,” continuously evolving, would force the administration to reckon with its inaction? Even the confirmed use of chemical weapons against Syrian civilians in the summer of 2013 was not enough to push President Obama to intervene. The U.S. was *about* to intervene – the French had readied their Rafale fighter jets for a planned strike starting at 3 a.m. on September 1 – but, at the last moment, the president decided to hold back, to the surprise of some of his most senior advisors.¹⁹

After such a reversal, it became nearly inconceivable that the administration would shift its Syria strategy anytime soon. If the use of chemical weapons wasn’t enough to provoke international military action – and at a moment when allies were broadly supportive – what would be?

As I wrote this essay, I tried to find Michael Weiss’ safe zones “blueprint,” but the original version of the publication is no longer available online. It seemed appropriate – a small reminder of a forgotten tragedy. Most people, of course, are well aware that there is a civil war, but the numbers of the dead no longer

17 Shadi Hamid, “Why We Have a Responsibility to Protect Syria,” *The Atlantic*, <http://www.theatlantic.com/international/archive/2012/01/why-we-have-a-responsibility-to-protect-syria/251908/>.

18 Slaughter wrote in a February 23, 2012 *New York Times* article that “foreign military intervention in Syria offers the best hope for curtailing a long, bloody and destabilizing civil war.” (Anne-Marie Slaughter, “How to Halt the Butchery in Syria,” *New York Times*, February 23, 2012, http://www.nytimes.com/2012/02/24/opinion/how-to-halt-the-butchery-in-syria.html?_r=1).

19 JPost.com Staff, “France was ready for Syria strike when Obama decided to seek Congress’s approval,” *Jerusalem Post*, September 29, 2013, <http://www.jpost.com/Middle-East/France-was-ready-for-Syria-strike-when-Obama-decided-to-seek-Congress-approval-327421>.

register the way they did early on, when the outrage over 5,000 or 10,000 killed was still palpable.

For the policy researcher, this presents a number of problems. There is still obviously much to be done in terms of analyzing the Syrian conflict, including assessing battlefield dynamics and tracking the hundreds of rebel groups. Several analysts, such as Charles Lister, Aron Lund, and Aaron Zelin, do precisely this and have established themselves as essential sources of information on something that is extremely challenging for outsiders to follow. But, while this rich, granular analysis is useful, it doesn't translate easily or clearly into policymaking.

Those, such as advocates and analysts in non-governmental organizations, who are less focused on analyzing rebel groups and more concerned with proposing workable solutions can sometimes be pushed into "best we can do" recommendations. As mentioned above, they take as a given that the U.S. will or won't do certain things and then basically work backwards. For example, the journalist Nir Rosen, special advisor to the Humanitarian Dialogue Centre, a Swiss-based conflict mediation organization, argued in a speech to the European Council on Foreign Relations that "Obama is not interested in increased intervention in Syria, and policy has to be based on that reality."²⁰ This happens to accord with Rosen's own inclinations – he has been a vocal opponent of Western intervention in Syria – but he has a point.

Of course, things that seem impossible today can become possible sooner than we might expect. There are other places, such as Iraq, where the Obama administration was pulled back in despite (or, more likely, because of) its best efforts. A fundamental shift is still unlikely in the case of Syria but it is *more* likely in the fall of 2015 than it was a year before. For instance, in July, Turkey and the United States appeared close to agreeing on the creation of a "safe zone" along the Syrian-Turkish border that would bring U.S. aircraft "closer than ever to areas that Syrian aircraft regularly bomb."²¹ How this would actually work in practice, however, remained unclear, and there was the open question of whether the U.S. had any real interest in committing the necessary resources, particularly if it meant drawing into greater confrontation with Russia. Even if such plans fail to materialize due to continued American reluctance, that could

20 Nir Rosen, "Panel – Political Transition and Power-sharing in Syria: Views from the Region," *Syria Conference*, Copenhagen, May 2014, <https://www.youtube.com/watch?v=wqrmKifHjJL>.

21 Anne Barnard, Michael R. Gordon and Eric Schmitt, "Turkey and U.S. Plan to Create Syria 'Safe Zone' Free of ISIS," *New York Times*, July 27, 2015, <http://www.nytimes.com/2015/07/28/world/middleeast/turkey-and-us-agree-on-plan-to-clear-isis-from-strip-of-northern-syria.html>.

quickly change upon the election of a new president. As the 2011 uprisings demonstrated, circumstances can change drastically with little notice, leading officials to look for new ideas, not because they want to, but because they have to. As we have seen time and time again, a new leadership comes to power and wants to distinguish itself from its predecessor so it seeks out ideas and proposals that were previously dismissed as far-fetched.

This leads us to the second approach to policy research: to *not* accept “reality” as a given and to write about what should happen. Still, these recommendations have to be realistic in the sense that the U.S. government and military *could* feasibly implement them, assuming sufficient political will. Military intervention in Syria meets this test. (The question of whether it’s wise is a separate question, one on which reasonable people can disagree). With this alternative policy approach, the goal here is to appeal to a wider audience and influence the public debate, in the hope of shifting the contours of the conversation over Syria in mainstream publications, television programs, and other media. Public debate invariably has an effect on policy decisions, even if the link is hard to observe, measure, or analyze. Policymakers do not, after all, act in a vacuum. They themselves are a product of the environment around them, which either enables or hinders them in their work. This is anything but an exact science and depends in part on luck. Certain ideas and proposals can quickly catch fire: an influential columnist reads an article and decides to cite and quote it, as opposed to the dozens of other articles he or she reads that week. Since the influential columnist liked the article enough to mention it in a column, others in the policy community read it and tell their friends about it. Their friends, if they live in Washington, DC, will probably include a U.S. official or two. And so on.

This brings us to an often underappreciated avenue of the policymaking process, more obscure since its results are almost impossible to determine. Particularly in administrations with controversial foreign policy orientations, there are always officials, some of them quite senior, who take issue with the president’s approach on a given issue, and so they work from within to nudge the policy in an at least somewhat better direction. They need ammunition – in the form of outside information, analysis, and validation – to more effectively make their case to colleagues in the labyrinthine interagency process. In this sense, it is less about policy *outcomes* and more about influencing internal *dynamics* within government.

Because there are so many different paths to influencing policy and so much uncertainty over the exact nature of that influence (to say nothing of lag time effects), policy researchers shouldn’t necessarily make policy impact into an all-consuming objective. In this respect, influencing policy is a bit like love: you

hope it happens, but you also don't want to try too hard. We should write with a mind to helping shape, broaden, and enrich a public conversation (in the implicit hope that, over time, innovative outside-the-box ideas – assuming they're good – will be recognized by someone, somewhere in government and at the right time).

Until then, though, what can we really hope to do? And what have we already done? There are “technocratic” areas of policymaking that any administration, regardless of ideology or worldview, needs to pay attention to. Here, there isn't really a choice: the United States must do *something*. Refugee policy is one example, particularly in light of growing public attention and outrage in the U.S. and Europe over the plight of displaced Syrians. Over the past decade, the U.S. has been the largest government provider of humanitarian assistance, and annual humanitarian assistance increased by 18 percent in 2013.²² The U.S. has a long history of taking the international lead on humanitarian crises and disaster relief, providing the bulk of emergency response and reconstruction funds following the 2010 earthquake in Haiti and the 2004 tsunami in Indonesia, for example.²³ During the Syrian civil war, American officials were at pains to remind skeptical Syrian interlocutors that the U.S. was the single largest contributor to humanitarian efforts, at over \$4 billion.²⁴ On July 31, 2015, the U.S. announced another pledge to aid Syrian refugees, a \$65 million contribution to the World Food Program (WFP). This put total US humanitarian aid to WFP operations in Syria at \$1.2 billion “including more than \$530 million for operations inside Syria and more than \$693 million for operations benefiting Syrian refugees.”²⁵ When presented with these figures, some of the responses from Syrian activists and opposition figures were predictable: the reason that the humanitarian crisis required so much attention was precisely because of

22 GHA, “United States,” *Global Humanitarian Assistance*, 2013, <http://www.globalhumanitarianassistance.org/countryprofile/united-states>.

23 See USAID, “Fact Sheets,” *U.S. Agency for International Development*, <http://www.usaid.gov/news-information/fact-sheets/us-assistance-haiti-overview-2010-2015-december-2014>, <http://www.usaid.gov/indonesia/tsunami>.

24 By June 25, 2015, that figure stood at over \$4 billion: USAID, “Syria,” *U.S. Agency for International Development*, August 4, 2015, <http://www.usaid.gov/crisis/syria>. EU claims 3.7 billion euros (or \$4.06 billion) donated since January 2012: European Commission, “Syria,” *EC Humanitarian Aid and Civil Protection*, 9 July 2015, http://ec.europa.eu/echo/where/middle-east-north-africa/syria_en.

25 USAID Press Office, “USAID Provides Additional \$65 Million For Critical Food Assistance To Syrians,” *U.S. Agency for International Development*, July 31, 2015, <http://www.usaid.gov/news-information/press-releases/jul-31-2015-usaid-provides-additional-65-million-critical-food-assistance-syrians>.

the international community's unwillingness to protect Syrian civilians from the violence of the Assad regime. Still, if we take international inaction as a given, then, clearly, someone had to do something to protect refugees, ameliorate their living conditions, and help host countries like Turkey and Jordan provide for millions of new temporary, or even permanent, residents.

The three policy papers featured in this issue of *Middle East Law and Governance* point to the challenges of ensuring policy relevance. Each does an admirable job of providing context for readers who may be unfamiliar with the sheer scale of the refugee crisis and what frontline countries, particularly Turkey, Jordan, and Lebanon, are already doing. However, they run into some problems – problems that are inherent to the enterprise of policy research – when they propose policy recommendations for governments. There is, first and foremost, what we might call the “low-hanging fruit” problem. Because offering recommendations that are, at once, realistic, useful, and original is so difficult, there is a tendency to begin by stating things that are both self-evident or already happening, or both. For example: “On top of existing international efforts to support Jordan’s security and economic development, the best thing the international community can do to safeguard a stable and prosperous future for Jordan is to continue pledging assistance for humanitarian aid as well as managing the impact of refugees. Pledged funds should be disbursed as rapidly and completely as possible.”²⁶

Operationalization presents an additional and somewhat related problem. Drawing on a survey of refugees in Lebanon, Rania al Jazairi writes that “interviewees had also the same priorities for the post conflict period. They all believed that education should be the main focus area in the upcoming period.”²⁷ Few would take issue with this. Education *should* be central. The question is how, to what extent, with what resources, and who exactly should be leading the way? The latter part – who the recommendations are directed to – is crucial and is particularly relevant in the area of refugee policy. Unlike, say, questions of intervention which are usually addressed to the United States and, to a lesser extent, a handful of Western powers and Arab allies, refugee policy requires coordination and buy-in from host countries, which often play the more critical role when it comes to implementation (although not necessarily funding).

In the BADIL paper “Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing,” the issue of intended audience comes up immediately

26 Doris Carrion, “Jordan and Syrian Refugees: Avoiding the Worst Case Scenario,” p. 328 of this issue.

27 Rania Al Jazairi, “Transitional Justice in Syria,” 357.

in the introductory statement: “This summary [of a report originally published by scholars at Boston University] is aimed towards the general public with little or no knowledge in international law and institutions.”²⁸ Many of the recommendations in the paper are directed toward Jordan and Egypt, which raises the question of how much influence and access foreign organizations – such as BADIL, which is based in the West Bank – have with authoritarian governments that don’t generally have the best relationships with civil society. Other recommendations are intended for Latin American countries, which, the authors write, “should play a role in the resettlement of non-Syrian refugees.” This sounds like an out-of-the-box recommendation – in discussions of Syria, Latin America rarely gets much attention – but neither the authors of the original report nor the publisher of the adapted summary are likely to have much face time with Brazilians or Argentinian policymakers. Perhaps the goal is to get the U.S. or international organizations to pay more attention to the role of Latin American countries on resettlement issues? Either way, it underscores the question that any policy brief or report needs to grapple with: *who exactly is this for?*

The International Crisis Group has done admirable work in broadening the conversation beyond the United States and Europe by including recommendations for all involved actors in a given conflict area. A 2007 ICG report, “After Mecca: Engaging Hamas,” addresses Hamas, Fatah, Israel, the European Union, the U.S. government, among others.²⁹ Since ICG is an international organization with offices across the globe, they have more room for maneuver. For American, European, or Arab think tanks, however, it becomes more complicated. Should it really be the job of American analysts at a U.S. think tank to offer suggestions on what Hamas “should” do? Presumably, when Hamas makes decisions, it does what its leaders think is best for the organization, while it is easy to imagine an American scholar recommending that Hamas do what’s best for the peace process or regional security, even if it wouldn’t necessarily be good for the organization. This makes sense: American analysts do not generally like Hamas or support its goals or methods, so Hamas’ organizational interests are not likely to be the paramount concern. The same could be said for recommendations directed toward the Assad regime, the Iranian government Hezbollah, or Syrian rebel forces. Let’s take Ahrar al-Sham, one of the leading Islamist rebel groups in Syria and one often described as “hardline”

28 Akram et al, “Protecting Syrian Refugees,” 290–291.

29 “After Mecca: Engaging Hamas,” International Crisis Group, February 26, 2007, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/israel-palestine/062-after-mecca-engaging-hamas.aspx>.

(although it is not designated as a terrorist organization). Ahrar al-Sham, facing internal tensions and divisions, is likely to put a premium on organizational cohesion over, say, what might theoretically be best for Syrian peacebuilding efforts. If an American or European think tank analyst is proposing recommendations “for” Ahrar al-Sham, it raises a number of questions. Are the recommendations things that would benefit regional stability or prospects for a diplomatic solution in Syria? Or are they things that would benefit Ahrar al-Sham’s internal cohesion? Presumably, it would be the former. These are just a few examples.

It seems to make more sense for American or U.S.-based scholars to direct their recommendations to the country in which they live and/or are citizens of. This is at least how I approach my own work. I am an American who lives in Washington, D.C and naturally I want my government to improve its negative record in the region and adopt more constructive –and, in some cases, fundamentally different – policies toward the Middle East. However futile that may sometimes seem, there’s no reason to think that the United States, European powers, and other members of the international community are doomed to endlessly repeat, but just in different form, the mistakes of the recent past. The policies of Western powers have been far from constant. They have varied, sometimes wildly, from one administration to another. That, if nothing else, should offer a slight glimmer of possibility or – dare I say it – hope.