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To See Possibilities
– A study of Advocates for the Undocumented Migrants in Sweden

Abstract

Title To See Possibilities – A Study of Advocates for the Undocumented Migrants in Sweden

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Key words advocates, undocumented migrants, residence permit, law, assessments

The purpose with the thesis was to get a deeper understanding of the work which is performed for the undocumented migrants in Sweden by secular and Christian advocates.The study was conducted through seven qualitative interviews and through a qualitative study of four articles in Swedish newspapers. The main conclusion for the study was related to one of the central themes for the thesis; the potential priorities the advocates did in order to priority between the undocumented migrants. It was shown that priorities were made in one way or another and the relevance of the factors of *proximity* and *possibilities* for these priorities was emphasized. According to theory from Jones (1991), based in social psychology, could proximity be about cultural, psychological, physical or social nearness. It was also stated that both the society and organization could create preconditions for propinquity between the advocate and the undocumented migrant. Another crucial factor which influenced the priorities was possibilities. The advocates searched for possibilities for the migrants, both regarding the chances to get residence permit, and if that not was possible, the possibilities to return to the country of origin. The other central theme in the thesis was *law*. Theory from Alexy (2005) about philosophy of law was used to understand the empirical material concerning this theme. It was e.g. stated that there were different attitudes concerning free immigration. Some of the advocates were active proponents for *no borders*, while others saw it as something desirable, but in the current situation unrealistic. The study led to a draft to a theoretical model in order to understand the investigated phenomena. In this model it was e.g. shown how the factors of proximity and possibilities also could interact for the priorities the advocates did.

Acknowledgements and Preamble

"I was a stranger and you welcomed me"

(Matthew 25:35, English Standard Version)

Table of Contents

1. Introduction

1.1 Problem Area and Research Questions

Questions related to people staying in the country without a permit, or undocumented migrants, are at issue in the Swedish debate (Sigvardsdotter, 2012). I can see examples of this from new legislation regarding the right to health care and the right to education for children (The National Board of Health and Welfare, 2013a; The Swedish National Agency for Education, 2013). It has also been published numerous scientific papers and books on the subject the last years (Sigvardsdotter, 2012). It is assumed that there are between 10 000 and 50 000 undocumented migrants in Sweden (The National Board of Health and Welfare, 2010, as cited in Johansson, 2014, p. 4). More seldom the question of those who are committed to the undocumented migrants' rights and what drives them has been discussed.

This thesis will closely examine individuals and organizations which are engaged in the situation for the undocumented migrants. I will highlight their work in general, but I am particularly interested in potential assessments to determine which undocumented migrants they are able to help. How are these decisions made? Are the decisions based on deep considerations or are they based on coincidences and arbitrariness?

My prior understanding of the topic was that in general there are three groups in the Swedish society that are committed to the undocumented migrants. The first and largest group is family members and fellow countrymen who have a residence permit and who assist their relatives. The second group is Christian churches and the third group is other organizations and networks of individuals involved in the issue because of political and/or humanitarian causes.

This is a very rough sketch. Many times an individual can be said to belong to all three groups. E.g. there may be Christians who help their undocumented countrymen and also justify their positions with political arguments. During this study I have seen that there is also a fourth important group of people who are engaged in the undocumented migrants. Their commitment is mainly based on professional ethics, e.g. health professionals and lawyers (Rosengren, 2009).

Since the issue of health care to undocumented migrants has been noted in numerous studies in recent years (see e.g. Baghir-Zada, 2009) this study will focus neither on help with health care as such or advocates who are focused on health related issues. Some of the advocates in my study describe however that assistance in relation to health care institutions is one of *several* tasks they do in their work for the undocumented migrants.

I have selected advocates in this study who are engaged in assisting the undocumented migrants in one, two or all of these three areas; housing, financial assistance for living

expenses, and legal advice. Financial assistance may e.g. involve assistance in the form of food and clothing.

In order to understand the work the advocates perform it is important to underline that support to undocumented migrants, without the purpose of profit, is not punishable in Sweden (The Committee on Social Insurance, 2003/04).

Another topic in this thesis will be how the persons involved for the undocumented migrants relate to the law. By law, I intend primarily to Swedish law, but also international law. *Law* will be related to questions about morality.

With this background are my research questions the following:

1. Which attitude to the law, and which approach to the law, do the advocates involved for the undocumented migrants have in their work?

2. What influences the potential assessments the advocates do in order to decide which undocumented migrants they will have the possibility to help?

Regarding the first question I would like to underline that with *attitude* I mean an ideological and theoretical attitude and with *approach* I mean a practical approach.

My main aim is to answer these two questions. I also have a more secondary objective. It is to do a comparison of potential differences between the work of secular and Christian organizations and individual advocates. Are there any differences in the practical work and in relation to the research questions? With *secular* I mean organizations and individuals who base their commitment on e.g. political and humanitarian reasons, but not on a Christian or other religious ground. With *Christian* I mean churches and individuals which base their engagement in the Christian faith. In the empirical material the Christian respondents represent different kinds of Christian churches.

Thus I will highlight two of the four already mentioned groups who according to my knowledge and pre-understanding are committed to the undocumented migrants. Since it has not been possible to study all four groups I have made this limitation.

1.2 Vocabulary

I will in this section explain how I will use some of the words that are common in the thesis and where there may be a need for clarifications.

Advocate - I have chosen this word to describe the respondents in the study. In the literature review which will be presented in chapter two have the persons who are committed to the undocumented migrant's different epithets. For example writes Rosengren (2009) about

helpers, Cook (2011) writes about *activists*[1] and Hebert and Jacobsson (1999) call these persons *"refugee-hiders"*[2].

Because I did not see any of these words as appropriate as a common description of all the respondents in the study I have chosen the word *advocate*. The online version of the Oxford English Dictionary (OED) has several definitions of the noun advocate (entry in the OED updated 2011). I will here quote the definition which is closest to how I will use the word: "A person who pleads for or speaks on behalf of another; a person who supports, recommends, or speaks favourably of another."

I argue that the persons described in this thesis primary are supporting the undocumented migrants in different ways, but they also speak on their behalf. Even if I will use the word advocate it is not my purpose to go deeper into theories about *advocacy*[3] and how such theories relate to the work performed by the respondents in the study.

Proximity/closeness/nearness – These words, especially *proximity* will often be used in the text. I have taken the word proximity from Jones (1991, pp. 376-377) and his dimensions for moral intensity in the ethical decision making, which will be explained in the theory chapter. Jones (ibid, p. 376) uses proximity and closeness as synonyms. Lincoln and Holmes (2011, p. 58) state about proximity in a summary of Jones' (ibid) dimensions: "Proximity can be a feeling of physical, cultural, social, or psychological *nearness*." (italics by me)

The following definitions are taken from the online version of the OED. The definitions (entry updated 2007) of the noun *proximity* are: "The fact or condition of being near or close in abstract relations, as kinship (esp. in *proximity of blood*), time, nature, etc.; closeness." (italics in original) and "The fact, condition, or position of being near or close by in space; nearness. Now the dominant sense." One of the definitions of the noun *closeness* (according to the OED the "entry has not yet been fully updated, first published 1891") is: "Nearness to anything in space, time, amount, association, resemblance, etc." Two of the definitions (entry updated 2003) of the noun *nearness* are:"Close intimacy or friendship." and "Proximity in space or time. Also figurative(ly)."

My conclusion is that despite some linguistic differences, I will use the three words as synonyms, since the literature about ethical decision making I will refer to use the words interchangeably.

Undocumented migrant/migrant – I will use the term *undocumented migrant* to describe the persons for whom the advocates in the study are acting. In the *Undocumented Migration Glossary* (The Working Lives Research Institute, 2008) is this definition of *undocumented migrants* found:

"The term describes foreign citizens present on the territory of a state, in violation of the regulations on entry and residence, having crossed the border illicitly or at an unauthorized point: those whose *immigration/migration status* is not regular, and can also include those

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[1] The work Cook (2011) describes is however a bit different from the work which is performed by the persons in Sweden. Cook depicts persons who assist undocumented migrants who risk their lives when they are crossing the border between Mexico and the USA.
[2] My translation of the Swedish word "flyktinggömmare".
[3] For a deeper understanding of advocacy see Payne (2005, pp. 295-300).

who have overstayed their visa or work permit, those who are working in violation of some or all of the conditions attached to their immigration status: and failed asylum seekers or immigrants who have no further right to appeal and have not left the country. It has been argued that the term is ambiguous as it refers both to migrants who have not been documented (recorded) and those without documents (passports etc)." (ibid, p. 19, italics in original)

At some occasions I will use the word *migrant* as a synonym for undocumented migrant. At other occasions the word migrant will be used for migrants in general. For what purpose the word will be used will be clear from the context. The website for The International Organization for Migration (n.d.) refers to The International Organization for Migration (2011) when the organization renders the definition from the United Nations:

"The United Nations defines migrant as an individual who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate. Under such a definition, those travelling for shorter periods as tourists and businesspersons would not be considered migrants."

I will use this definition, with the exception from the "one year limit", when I will describe migrants in general in my text. This because information about which time period the migrant has been in the foreign country not always is available. The texts will however not be about tourists or businesspersons.

1.3 Limitations

The study will be about how the advocates relate to the law. This is done mainly on the basis of philosophical legal theories derived from Alexy (2005). My focus is not to go into detail on questions about the current legislation. Despite this I argue that it had been optimal to give some more background information about the current legislation both regarding the Aliens Act and the social rights for the undocumented migrants in Sweden. Since I have had to delimit the study has that not been possible.

Regarding the organizational context, I will not go into detail about how the organizations' finances the work or into more detailed questions about the organizations' structure. Nor is it my purpose to judge or calculate the number of "successful cases", i.e. how many times the engagement from the advocates has led to residence permits for the migrants.

1.4 The Researcher's Potential Influence on the Study

Gilje and Grimen (1992, p. 183) write that we never meet the world unprejudiced. The actor or researcher has a pre-understanding of the issue he is studying. The researcher can be more or less aware of his pre-understanding (ibid, p. 187). Related to this I would like to tell very shortly about my background. The last years I have been direct or indirect (mostly "indirect") active for the rights for the undocumented migrants. This engagement is based on my Christian faith and it is conducted in a Christian context.

In connection to the interviews I told the respondents very shortly that I have a background in this area. At five of the seven interviews the respondents wanted to know more about this. I

got the feeling that this information was something positive in my contacts with the respondents.

Since my engagement is based on my Christian faith and this study also is a comparison between secular and Christian advocates may there be a risk that I can be "partial" for the Christian advocates in this comparison. In addition it can be seen as the material in the literature review has too much focus on literature relating to Christian advocates and organizations.

These factors might influence the result of the study negatively. Since the comparison is the secondary purpose of the thesis I assume however that the main conclusions will not be too influenced of my potential partiality.

1.5 The Structure of the Thesis

In order to facilitate the reading of the thesis I will here describe the structure.

After this introduction chapter the reader will find a chapter which I have called knowledge basis which is a literature review that contains three parts. The review will both give the reader more understanding of the context the advocates are acting in and serve as a background for the conclusion I will present in chapter six. I will in the third chapter describe the theoretical perspectives I will use in order to understand my empirical material. The fourth chapter gives an explanation of the methodology of the thesis.

In chapter five I will first describe the respondents in the study and the practical work they perform. In addition I will give some other background information before I present the analysis of my empirical material. I will use the theories from chapter three in the analysis. The literature from the review will be used very limited in this chapter. Instead I will return to the literature review from chapter two when I will make my conclusions for the study in chapter six. I will there answer my research questions. In addition I will present a draft to a theoretical model in order to better understand the investigated phenomena. In chapter seven I will present the bibliography.

The structure can be discussed, especially chapter five. Some of the background information before the analysis in this chapter could maybe have been put in the methodology chapter instead, and I could also have put more focus on literature from the review already in this chapter.

2. Knowledge Basis

The function of this chapter is to serve as the knowledge basis for the thesis. As I have already stated could this basis have been more extensive. My wish is however that it will give the reader a background for the rest of the study. I will return to this chapter primarily in the conclusion chapter.

2.1 Literature Review

According to Sigvardsdotter (2012) has there been an increased interest among the researchers for the situation for undocumented migrants in Sweden the last years. She mentions e.g. an academic article from Noll (2010).

I will focus on studies which are more connected with the topic for this thesis, i.e. persons and organizations who are engaged for the undocumented migrants. The review is divided in the following sections; *Who are the advocates? Do the advocates any priorities? and Which are the contexts for the advocates?*

The first section will describe the advocates and their motivation for the work, but also to some extent the way they are depicted in the literature. The second section is about potential priorities the advocates do in the work for the undocumented migrants, but also to some extent about ethics in the work and how the advocates relate to the law. The third section will describe different organizations, churches and movements which are engaged for the undocumented migrants. This section will e.g. make a distinction between the asylum movement and the no border movement.

The sections will combine international literature and literature with a Swedish perspective. Since the empirical base for the thesis is Sweden is the majority of the literature also from Sweden. Most of the international literature is from the USA. At some occasions it has been hard to put the subject in a text under a specific section because the subjects are intertwined. I have tried to find the most relevant section for the content in the text.

In the selection of literature for the review academic articles, doctoral thesis and books have been prioritized. Since the sample from Sweden from these sources has not been sufficient have also literature from other sources, as e.g. student theses and web sites been chosen.

2.1.1 Who are the Advocates?

Rosengren (2009) followed asylum seekers, living in a reception center, in their daily lives, but also the fate of asylum seekers after deportation decisions. One chapter of the book concerns specifically those who actively help the undocumented migrants. Rosengren (ibid, pp. 185-221) gives in this chapter e.g. an overview of the advocates' modern history in Sweden and describes in addition different groups of advocates; *asylum groups*, *lawyers*, *the church*, *medical staff* and *the young*.

Rosengren (ibid) makes a summary of the advocates she has met and writes that one common denominator is that they all want to work for human rights. It is also said that many of the advocates have a personal Christian faith and that others are from the left side in the politics. Their engagement is a stance for a fight for humanity, justice and solidarity. For others is the commitment a question about professional ethics, e.g. for lawyers and medical staff. Among the advocates are also children or partners to migrants mentioned (ibid, pp. 218-219).

Mattsson (2008) gives a bright picture of those who assist the undocumented migrants in a chapter in her book about the situation for the undocumented migrants in Sweden. Mattsson (ibid, pp. 107-115) takes examples from women in the Church of Sweden, the Red Cross and Save the Children who all have a commitment to the undocumented migrants. The women are described as modest but strong.

Wicklin (2005, pp. 97-103) has asked advocates in Sweden about the reasons for their engagement but has not got any exhaustive answers; one is simply "it had to be done[4]" (Wicklin 2005, p. 101). He continues with referring[5] to the German physician Till Bastian who has studied these kinds of helpers. According to Bastian are they common people without stilted talk about their own commitment. Nevertheless they can be trusted in hard situations (ibid).

Hebert and Jacobsson (1999) studied in a Swedish governmental official report "disobedient citizens" in the form of animal rights activists as well as persons engaged in the undocumented migrants. In the study gets the advocates the chance to describe the basis for their commitment and it is found that the Christian faith is important for the engagement for the majority (ibid, p.109). It is also said that all of the advocates had a heritage from their childhood to support vulnerable groups in the society (ibid), but the decision to become active in the support for an undocumented migrant was something that occurred spontaneous after a meeting with any of them (ibid, p. 42).

Sager (2011) has in a dissertation investigated the everyday life for migrants living in clandestine in Sweden. She has a somewhat different view, comparing with the literature I have mentioned so far, about the persons who are engaged in these migrant's rights, or at least how these persons sometimes are depicted.

Sager (ibid, pp. 204-205) refers to Segerstedt Wiberg (1997). Segerstedt Wiberg states that the society has to be grateful to the persons who are engaged in the undocumented migrants and her book provides a bright picture of these persons (ibid, p. 8). Sager argues that Segerstedt Wiberg creates an unfortunate polarization between the "hiders", i.e. citizens and the "hidden", the undocumented migrants, i.e. non-citizens. According to Sager (2011, p. 205) (which she also claims on the basis of her own research) may a result of such polarization be that the "hiders" are seen as benefactors while the undocumented migrants are seen as powerless.

Sager (ibid) asserts that another problem is that the family members and compatriots who help the undocumented migrants are regarded differently from the advocates who help with the base in a non-governmental organization (NGO) or activist group. Support from family

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[4] My translation from Swedish.
[5] No other information is given.

members is rather seen as cultural obligations than as solidarity actions or political protest. In addition is my understanding of Sager (ibid, pp. 205-206) that some parts of the debate can be influenced by racism, when help from family members to undocumented migrants even can be considered as fraud or criminality instead of efforts made by civil obedience or solidarity.

Hultman (1995) and Möller (1995) have written different articles, both individually and jointly, about undocumented migrants and those engaged for their rights in an edition of a Swedish magazine. One of the articles estimates that around 20 000 persons[6] in Sweden at that time were involved in the work to help rejected asylum seekers to live in clandestine (Hultman & Möller 1995, p. 52). The same article (ibid, pp. 52-62) describes seven of these advocates and their motivation. The advocates are all Swedish without immigrant background. They seem to be stable persons with a commitment to vulnerable people. Four of them have a personal Christian faith. There is one important exception from the common picture when one of the advocates expresses anti-Semitic and anti-Roma statements (ibid, p. 57).

2.1.2 Do the Advocates Any Priorities?

Molin (2010) has on behalf of the Swedish Red Cross interviewed 25 persons who live in clandestine after their asylum applications have been rejected. The interviews are presented in a book with the aim to answer why these persons not return and how they live in Sweden. Molin (ibid, p. 18) writes that these undocumented migrants, after the final negative decision, have searched support from compatriots or persons who talk the same language, NGOs or churches.

In the book is a pastor from a free Christian congregation, who is engaged in the undocumented migrants, interviewed. The pastor gets the question if he never has been fooled in this work (ibid, p. 154). He answers that it has happened, but it is not common. However it has made him more careful before he starts a commitment to a specific individual. He also argues that supporting undocumented migrants to live in clandestine is always the last resort, because it is so degrading to live under such circumstances. It is also very hard to find accommodation for those in need (ibid).

Vestin (2002 & 2006) has written about the Swedish migration policy. The two books deal to some extent with the persons who are engaged in the undocumented migrants. In the book from 2006 Vestin looks deeper on ethical issues in the work that the advocates perform. She asks if the advocates can worsen the situation for the asylum seekers, when they are fighting for them to get residence permit, instead of supporting them to return to their home countries those times that is possible. Vestin argues that there is such a risk. According to her some advocates may claim that everyone has the right to stay in Sweden regardless the circumstances (Vestin, 2006, p. 184). Other advocates, who are in agreement with the principle of regulated migration, can get so touched by the story from the migrant so they continue to work for residence permit even if it would be better for the migrant to return. Vestin refers to the deacon Jan Johansson who has called this "the Stockholm syndrome" with a parallel to how the hostage can feel for the kidnapper (The Swedish Network of Refugee Support Groups, 2003, as cited in Vestin, 2006, p. 184).

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[6] It is not stated how this number is estimated.

Vestin claims that it also can be the other way around. A person may have a theoretical idea that he/she would help a migrant in need but he/she may not be that sure to do that if the migrant one day stays there in front of him/her (Vestin, 2006, pp. 184-185).

Vestin discusses if the advocates only shall work for rejected asylum seekers to get residence permit or if they shall work to facilitate the situation in the country for all undocumented migrants. She makes the conclusion that most of the times are there no choice. The advocates have to work on both fronts. Vestin warns though for the risk that when the authorities' asylum decisions harden can also the advocates feel that they have to raise the bar for which migrants they can support (ibid, p. 193). In one interview in the book claims one advocate that they, just as the authorities, become jaded when they have met so many "migrant cases" (ibid, p. 229).

Another advocate underlines that they are not "hiding refugees". The advocate explains that it is the migrant who takes the decision to live in clandestine, the advocates are only facilitators if there is no other solution. They do not *hide* anyone. Vestin also writes about the assessments that the advocates must do, they can't help everyone. It is however not said much more about how this thinning is done (ibid, p. 230).

In the publication from 2002 highlights the author the role of media for undocumented children's possibilities to get residence permit through public opinion campaigns. The chances are higher that attention is paid to the situation for a migrant child comparing with a migrant single man, who maybe also is violent. Vestin argues that both may have the same need of protection (Vestin, 2002, p. 118).

It is not said explicit but it is likely that it is the advocates who most of the times initiate such campaigns. In that scenario is one question, which Vestin not poses, how the advocates choose which "cases" they shall try to "promote" and what that means for the "cases" they not make campaigns for. Yukich (2013a, pp. 315-316) presents how one movement in the USA, The New Sanctuary Movement[7] in its advocacy for undocumented migrants chooses certain migrants over others. Yukich (ibid) claims that the NSM construct "model migrants". These migrants are considered to have cultural and religious values that are accepted in the American society. By showing these migrants wants the NSM to shift focus from their undocumented status to their positive values.

According to Yukich (ibid) gets this action the unintended effect that the undocumented migrants that NSM does not choose to focus on, such as Muslim men, become trapped in a disadvantageous position. Yukich (ibid) argues that these migrants can be considered as "non-deserving undocumented" compared to the "deserving undocumented" that the NSM has selected.

Wild (2010, pp. 1012-1013) criticizes the NSM from another perspective. The author refers to the movement's website (The New Sanctuary Movement, n.d.) and their focus on what Yukich (2013a) above calls model migrants. Wild argues that the NSM should consider to plead *only* for these model migrants' right to residency and to not require residence permit for all undocumented migrants. According to Wild (2010, p 1013) it would be more tolerable both among the public and among the politicians.

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[7] This movement will be described in section 2.1.3.

Wild (2010, p 1012) also argues that the NSM should stop harboring undocumented individuals in the churches because the movement lack legal support for it and will not have the possibility to turn the public opinion on questions about undocumented migrants by acting in this way.

If I return to Sweden I have found literature where advocates are asked how they look at their engagement for the undocumented migrants. Möller (1995, pp. 77-83) has interviewed Per Herngren, an activist who introduced the term "civil disobedience" in Sweden. Herngren has also been engaged to help migrants to live in clandestine. He gets the question if it can be wrong to support migrants in this way. Herngrens' answer is that if there is any doubt about if the migration authorities have taken the right decision, must the advocates offer the migrant housing. He also argues that the advocates must allow themselves to sometimes be fooled by the migrants (ibid, p. 78).

In the interview is Herngren also discussing the terms "justice" and "compassion" in the work for the undocumented migrants. My understanding of Herngren is that compassion is shown when someone offers help to a migrant that he/she has met by random. But this offer is also a choice to not help migrants he/she hasn't met and this choice may not be objectively just (ibid, pp. 81-82). Herngren continues:

"The conflict is there, but both compassion and justice are needed to get a human world. When justice becomes too mechanical and bureaucratic compassion begins and when we only care about those in our neighborhood justice must help us to look towards the horizon a little and broaden our perspective." (ibid, p. 82)[8]

Hultman (1995, pp. 85-87) writes about a priest in the Church of Sweden and his commitment to the undocumented migrants. The priest is asked if he ever has doubted if it is right to help undocumented migrants to live in clandestine. He answers "no" even if he also reasons about migrants who in their home countries have committed quite serious crimes. His conclusion is however that it is also right to help these migrants (ibid, p. 85).

The priest argues that it is not possible to be rational and see which person who is in most need of help. He claims that he according to his faith and ethics has a duty to try to help anyone who is standing in front of him and asks for help in that moment (ibid). This statement can be compared with a statement from a priest aspirant almost 20 years later. In one article in a Swedish newspaper are two young priest candidates interviewed. Besides their call to become priests they have another thing in common, they are both politicians in the Swedish party the Swedish Democrats (Wrethov, 2014). Stenberg (2013, p. 2) writes that the category of parties that the Swedish Democrats belongs to uses to be called e.g. immigration critical or xenophobic[9] . The party has in the Swedish parliament made a proposal that it should be punishable to help undocumented migrants to avoid deportation, even if it is done without the purpose of profit (The Committee on Social Insurance, 2012/13).

In the article get the candidates the question if they would envisage helping migrants to live in clandestine in order to avoid deportation. One of them, Daniel Engström answers[10]:

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[8] My translation from Swedish.
[9] Stenberg (2013, p. 2) chose the term "immigration critical" when he describes the party in his thesis.
[10] My translation from Swedish.

"– I fail to see that if there would come people who have been through horrible things and really needed help, to see myself kicking them out of the church door, but at the same time so, yeah ... you have to try to think one step further, which is my role as a priest? Which are my duties towards God? Then it is a bit political sensitive too. In my role as a priest, I would prefer to avoid political positions." (Wrethov, 2014, p. 18).

Among the student thesis I have read that deal with people and organizations which help undocumented migrants are Johansson (2012) and Isberg (2012) closest to the purpose of this study. Johansson (2012) has studied those who provide housing for undocumented migrants. He has also investigated whether help with accommodation is given to all undocumented migrants or if it depends on the migrants possibilities to get residence permit in the future. Johansson (ibid, pp. 30-31) states that unlike those interviewed by Hebert and Jacobsson (1999, p. 48), claimed the majority of the respondents in his study that the possibilities for the undocumented migrant to acquire residence permit was irrelevant for their decision to offer help. One of the respondents stated that the important factor was the need the migrant had, not the possibilities to get residence permit. Another respondent claimed that the organization, in which this advocate was active, had a platform which said that the person's situation in life or asylum status was irrelevant for the organizations decision to offer help.

Isberg (2012) interviewed deacons in the Church of Sweden about how they work with undocumented migrants and which ethical considerations they do in this work. The study shows that the deacons, in the assessments of who can be helped, prioritize undocumented migrants who are rejected asylum seekers or persons who once held a valid permit to stay in Sweden, before the undocumented migrants who never have applied for residence permit and who have come to Sweden in order to work (ibid, pp. 27-29).

The study which is most connected to how the advocates relate to the law in their work is from Cook (2011). Cook (ibid) investigates this issue in the context of three different faith based organizations in the USA. This study is focused on the activists, who risk to be sentenced for their humanitarian work to assist Latin American migrants, who are trying to cross the border between Mexico and the USA. Cook (ibid, p. 561) writes; "Humanitarian activists both evade and engage the law. They appeal to a higher law to elude charges that they are acting illegally, while seeking assurances that their actions are within the law."

Cook (ibid, p. 571) refers to Hondagneu-Sotelo (2008, pp.19–21) and (Menjívar, 2007) and states that for the different groups in the study provides religion different resources (material, cultural and symbolic) and moral justification for the work even if all volunteers are not believers. Cook (ibid, pp. 571-572) mentions that John Fife, leader for one of the groups, claimed that it was harder for the antagonists to this work to criminalize and discredit the faith-based organizations, comparing with the work performed by secular groups. According to Fife has the faith-based organization an advantage thanks to the members more stable engagement comparing with secular groups. Robin Hoover, leader for another group, claimed that the faith-based organizations had practical advantages in form of e.g. a base for the finances through churches and other faith-based organizations.

Regarding the base for the commitment Cook (ibid, p. 572) cites Hoover: "It's one thing for you to do something because it feels right; it's another to do it because God tells you to." The article from Cook (ibid) also tells that the appeal to the religion was a way for the organizations to show that their work was above the national law. The groups also claimed

that their work was in accordance with international human rights conventions. Since the USA had signed different international conventions was it a violation of the country's commitments when their policies lead to deaths for the migrants at the border crossers. Cook (ibid, pp. 582-583) states that regardless the claims were based on religious or international judicial ground was the conclusion the same: "humanitarian aid could never be in violation of the law because its aim was to protect human life".

2.1.3 Which are the Contexts for the Advocates?

I wrote in the introduction chapter that, based on my pre-understanding and on Rosengren (2009), I distinguished four different categories[11] who are engaged in the undocumented migrants in Sweden. Since one purpose of this thesis is to make a comparison between secular and Christian organizations and individual advocates have I focused on these two categories in my literature review. Regarding the third category I have found one newspaper article which deals with the issue. It is about the Iranian Refugee Council and their network for supporting country men who don't dare to return to Iran due to their political beliefs (Wettre, 2002). The fourth category is described by Sällström (2012) in a thesis where different professions who work with undocumented migrants at voluntaries basis tell about their experiences.

When I focus on the secular and Christian groups who are engaged in the undocumented migrants in Sweden there is one umbrella organization which have local organizations from both categories,[12] The Swedish Network of Refugee Support Groups (The Swedish Network of Refugee Support Groups, 2010; 2013a?). This organization is mentioned by Hebert and Jacobsson (1999, p. 47). It is said that only one of six advocates in their study was a member of a group which was formalized.

Regardless if the group was formalized or not did the advocates work in a similar way to decide which migrants to help. First they looked at all documents and took contacts with the lawyer and the migration authorities. If the advocates assessed that there would be a possibility to in the future get a residence permit they could support the migrant to live in clandestine during the time it would take to bring forth new reasons (ibid). One of the advocates told that they urged the migrant to return and cooperate with the authorities if they saw that his/her reasons to obtain asylum were not strong enough (ibid, p.50).

Regarding materials the churches have produced about their work for migrants the Church of Sweden (2012) has made a guiding document. The guidance describes the theological base for the engagement for migrants in general. A document from the Christian Council of Sweden is quoted[13]:

"Our Christian faith has been marked by exile and the experiences of being a refugee. [---] To welcome the stranger into the community is an act of Christian faith which carries a promise of blessing. 'Remember to show hospitality; for it happened that those who made it had angels as visitors without knowing it' (Hebrews 13:2)." (The Christian Council of Sweden, 2007, no page number noted, as cited in The Church of Sweden, 2012, p. 9)

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[11] In order to avoid repetitions I refer to chapter 1.1 for a description of the four categorises.
[12] From the information on the organizations website I draw the conclusion that the majority can be considered as secular (The Swedish Network of Refugee Support Groups, 2013a?).
[13] My translation from Swedish.

The document also gives concrete advices in the work for the undocumented migrants. It is e.g. said that it is usually not a good solution to open the premises in the church [14]for an undocumented family for a longer period, but it is good if the parish can be prepared to give shelter for one night in cases of emergency (The Church of Sweden, 2012, p. 39).

The role of the Church of Sweden in the work for the undocumented migrants is also depicted in a book edited by Qviström (2005). The former archbishop in the Church of Sweden, K G Hammar, took year 2004 the initiative to what later became the Easter Call [Påskuppropet] 2005 where almost 160 000 persons required amnesty for rejected asylum seekers (ibid, pp. 193-233). There was no amnesty but the claims led to a temporary law which gave the right to residency for approximately 17 000 former undocumented migrants (Mattsson, 2008, pp. 115-120).

Sigvardsdotter (2012) investigates in a dissertation the relation between the Swedish state and the undocumented migrants. She mentions also the role of the NGOs and the church[15] in the opinion work for the rights for the undocumented migrants (ibid, p. 167).

Religious organizations and movements play also internationally a role for migrants with different legal status. E.g. writes Sigona (2012) about undocumented migrants encounters with churches[16] in the United Kingdom. Wilson (2011) has studied the politics of asylum and faith-based organizations in Australia. Shipper (2012) highlights the role the churches[17] play for migrants in South Korea, Japan and Taiwan.

In the USA is The New Sanctuary Movement (NSM) a movement that has its ground in the sanctuary movement in the 1980ths. At that time were churches engaged to help refugees from Central America with sanctuary in church properties (Cunningham, 1995; Nepstad, 2004; Smith, 1996, as cited in Yukich, 2013a, p. 306).

One difference between the old and new sanctuary movement is that the NSM also helps families during the deportation procedure in their own homes with financial, spiritual and legal support (Yukich, 2013a, p. 306). The NSM has proclaimed itself to be an interfaith movement (Yukich 2013b, p. 172). There seems however to be many liberal Christians in the movement and there is a lack of Muslims and more conservative Christians (ibid, p. 184).

The context in which the Swedish advocates act is political in that sense that their engagement is a consequence of decisions taken by migration authorities, decisions which are based on laws which have been created in the political system. Politics, or rather engagement based on

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[14] This statement is only about housing migrants inside the church building, not about help to undocumented migrants in general. If it is about the engagement in general it can, according to my understanding of the document (The Church of Sweden, 2012, p. 38), be more extensive.

[15] In this text is the monastery in Alsike, which offers sanctuary to undocumented migrants highlighted.

[16] The article is not only about the undocumented migrants meetings with churches. The role of community organizations and "mainstream support agencies" is also highlighted (Sigona, 2012, p. 50).

[17] Also this article is about other forms of NGO's in these countries and their role for the migrants.

political beliefs, can also play another role for the advocates. One example of this is the refugee fund [Liberala flyktingfonden] which is organized by the Liberal Youth of Sweden which is the youth organization to the political party The Liberals. The fund can give financial contribution to persons who help undocumented migrants to avoid deportation (Byberg, 2003).

When the applications are assessed are families with children prioritized. According to the founder Johan Chytraeus, who is interviewed in the article by Byberg, it is also assessed how great the chance is that an appeal will give a good result (ibid). Regarding the role media can play in order to help migrants to get residence permit in Sweden Chytraeus argues[18] "– Actually, it is extremely poor legal certainty that you have to sell yourself in the media for being allowed to stay in Sweden." (ibid) Chytraeus states that it can be an option to contact media for someone who is cute and young, but probably not for a war deserter in the middle-age (ibid).

Other groups that work for the undocumented migrants in Sweden are described in two dissertations. Hellgren (2012) has studied the concept of social membership in Europe with the empirical base from Sweden and Spain. One part of the dissertation is about groups in the both countries which mobilize for the rights for the undocumented migrants. Holgersson's (2011) doctoral thesis is about the living conditions for rejected asylum seekers in Gothenburg and the role of the NGOs in this context is addressed.

Concerning secular groups advocating for the undocumented migrants outside Sweden describes Rabben (2011, pp. 198-200) the *sans-papier* movement in France. This is a radical movement which started in France 1996 where the undocumented migrants spoke up for their right to "get papers" (regularization) through hunger strikes and rallies. The author states that when they spoke for themselves politically they also reconstituted their own dignity. Rabben refers[19] to the terminology from Paulo Freire and claims that these persons become subjects in their own history (Rabben, 2011, pp. 198-200).

The No Border Network (2000) has made a publication about the struggle for the rights for the undocumented migrants in several European countries. It is stated that the sans-papier movement in France was pioneering and it is described how the fight also was spread to other countries in Europe such as the Netherlands, Belgium and Germany.

Regarding organizations and networks working for the rights for the undocumented migrants it is important to distinguish between the *asylum movement* and the *no border movement*. Sanna Vestin is the current president for the Swedish Network of Refugee Support Groups (The Swedish Network of Refugee Support Groups, 2013b?). This organization was in June 2012 invited to the No Border camp in Stockholm to present their work (Vestin, 2012). At that occasion Vestin held a speech from which I quote the following statement.

"The refugee movement or asylum movement isn't the same as the no border movement. Where the asylum movement's aim is to protect refugee's rights, the no border movement aims to erase the borders for all. In practice, our struggles have much in common. Refugees and people who try to protect refugee rights sometimes end up questioning the borders as

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[18] My translation from Swedish.
[19] No exact reference is given.

such. People defeating borders sometimes end up working also with asylum cases, as refugees are the ones most harmed by the borders." (ibid)

The Swedish literature I have read showed that even if the advocates in the asylum movement was working in order to help rejected asylum seekers to avoid deportation it was not common to speak for no borders and free immigration.

3. Theoretical/Analytical Framework

Focus of social work varies. A strong simplification indicates that some put more emphasis on interpersonal factors and how they affect the individual's behavior in society while others focus on how social structures affect the individual. This is something that is covered by Payne (2005) in his description of various theories of social work. Since this thesis will both address issues at a more structural level and on a more individual level, I have chosen various theoretical perspectives to best illustrate my empirical material. Payne (ibid, pp. 30-32) writes about the pros and cons of such an eclectic approach. His focus is on the practical social work and not as in my case, how theories can be used in research. I claim what he writes about awareness also may be relevant in this study. Payne (ibid) argues e.g. that it is important to be aware of the values in the theories.

Are there any crucial differences in values between the two theoretical perspectives I will mainly use? The theories that I will use is partly drawn from philosophy of law (Alexy, 2005) and partly from social psychology, influenced by moral psychology and applied ethics (Jones, 1991). This is two different scientific disciplines (legal) philosophy and (social/moral) psychology.

Hatfield (2002) describes the philosophical background for psychology. I argue that despite the fact that the disciplines can have common aspects, they nevertheless have different focus. My study has also different angles and the two theories that I use are both about morality, but from each of the disciplines, philosophy and psychology. My conclusion is that there is not any basic collision between the two theories.

I will in the following text describe my two main theoretical perspectives. When I describe Jones (1991) theory, I will also briefly describe other literature relating to ethical decision-making.

In the forthcoming analysis, I will use the theories from Alexy (2005) and Jones (1991) in my understanding of the empirical material. Regarding Jones (ibid), I will make a distinction between a *narrow* and a *broader* use. In the first main theme of the analysis, I mainly use Alexy (2005) to understand the empirical material, but also to some extent Jones (1991). In the second main theme I will use Jones (1991) but not Alexy (2005).

3.1 Law and Morality

Part of the thesis is about how the advocates relate to the law and the relationship between law and morality. To illustrate this I have used theories from the German legal theorist Robert Alexy (2005). In the introduction to the Swedish translation of the book writes Aleksander Peczenik (ibid, p. 9) that the book was written in German in 1992 with the title *Begriff und Geltung des Rechts*. The English translation with the title *The Argument from Injustice. A*

Reply to Legal Positivism was published in 2002[20]. I have read the Swedish translation from 2005 and will therefore refer to that year in the text.

3.1.1 Alexy (2005)

Alexy writes that the question of justice and morality essentially stands between two concepts, the positivist and the non-positivist (ibid, pp. 21-22). The positivist theories distinguish between law and morality. The legal concept must not contain any moral principles. Alexy quotes Hans Kelsen's conclusion: "Therefore, the law may have any content" [21] (Kelsen, 1960, p 201, as cited in Alexy, 2005, p.21).

Alexy (2005, p.31) asks which legal concept is correct. He argues that three elements need to be balanced against each other. "Appropriate *establishing*, social *impact* and contextual *correctness*"[22] (ibid, p.31, italics in original). The manners in which these variables are stressed affect which legal concept that will be the result.

Alexy (ibid) argues that the legal positivist concept come from if you do not attach any importance to the substantive correctness but merely studying appropriate establishment and/or social impact. Alexy (ibid, p. 57) takes the example of a judge who does not make a correct interpretation of the law when he improperly is sentencing a person to life imprisonment. Alexy (ibid) argues that the judge in such a situation does not follow the rules of the positive law that says a judge must interpret the law correctly.

Against the legal positivist concepts are the non-positivist legal concepts[23] that ignore the appropriate establishment and the social effect and only are studying the substantive accuracy (Alexy, 2005, p. 31).

In a later part of the book Alexy (ibid, p 105) argues that the above three elements, "social impact, contextual correctness and appropriate establishing"[24] which are connected to the legal concept, have their counterparts in three concepts of validity "the sociological, ethical and the legal concept of validity."[25]

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[20] I have in vain searched for the English translation. It is not available at Gothenburg University Library.

[21] My translation from Swedish.

[22] My translation from Swedish.

[23] Alexy (2005, p. 31) writes here about a legal concept which is based on e.g. *natural law* and uses not the term *the non-positivist legal concepts*. I use this term as a summary definition based on my reading of Wallin (2012) and Grabowski (2013). Grabowski (ibid, p. 11) writes: "The German nonpositivist conception of law has been developed since the mid-1980s of the twentieth century. This conception has not been created in a vacuum, since the criticism of legal positivism has been one of the main trends in the German post-war theory and philosophy of law. Initially, this criticism was associated with the "Second Renaissance" of the natural law theories that was observed in many countries—not just the post-totalitarian ones—during and immediately after World War II." Grabowski (ibid) refers here to Was´kiewicz (1962).

[24] My translation from Swedish.

[25] My translation from Swedish.

According to Alexy (ibid), the former concept of validity, the sociological, is about if there is social validity. A norm that is followed has social validity. He problematizes the question and concludes that social norm's validity is all about degree. There is a difference between a standard that is followed in 80 percent of the cases, compared to a standard that is followed in five percent of the cases. According to the author (ibid, p 106), you can however not simply look at the numbers to determine which norms social efficiency is highest. One also needs to determine how much weight you should put on that standards are adhered to and that any breach of these lead to punishment.

Alexy (ibid.) mentions that in the sociology of law, there is a discussion of the concept of social validity. He refers to Rottleuthner (1981 and 1987) and Röhl (1987). The discussion is about degree (see above). It also addresses the question of to what extent standards are adhered to and violation of these leads to punishment. Furthermore, it is about "the punishment of violations of legal norms involves an exercise of physical coercion, which in developed legal system consists of a state-organized coercion." (Alexy, 2005, p. 106).[26]

According to Alexy (ibid) the second concept of validity, the ethical, is about if there is moral validity. A norm that is justified morally is also morally valid. The author (ibid. pp. 106-107) argues that the validity of the norms in the natural law are only determined whether they are content-correct. That is determined whether they are going to justify morally or not.

The third concept of validity is according to Alexy (ibid, p. 107) the legal concept dealing with legal validity. The difference between this concept and the first two is that the legal, unlike the others, can't stand alone. A norm or a standard system that completely lacks social validity can't have any legal validity. A concept of legal validity that only contains influences of social validity is positivistic. A non-positivist legal validity concept contains elements of moral validity.

3.2 Ethical Decision Making

Harrington and Dolgoff (2008) discuss in an article the lack of hierarchies for ethical decision-making in social work and highlight the importance of this in social work education and practice. When I have studied ethical decision-making closer, I have chosen a theory that is not primarily developed for social work, but which I believe could be useful for social work. The theory is from Jones (1991) and has a social and moral psychological basis. I will describe the theory more in detail below.

Craft (2013) carried out a literature review regarding the literature in the area of ethical decision making. The article reveals that Jones (1991) concept of moral intensity and Rest's (1986) four-stage model for individual decision making and behavior is still in the center of the field. Craft (2013) also reports for more modern research. The research provides a variety of perspectives on the ethical decision-making.

Craft (ibid, pp. 246-247) discusses inter alia studies that deal with the importance of personal values in the form of e.g. political orientation and altruism. Furthermore, Craft (ibid, p. 247) found studies that consider emotions relevant to the ethical decision making. One of the studies Craft (ibid) describes is Connelly, Helton-Fauth and Mumford (2004). The authors

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[26] My translation from Swedish.

(ibid, p 245) showed that emotions which were regarded as active, both positive and negative, were stronger related to ethical decisions that were interpersonal than ethical decisions that were organizational.

It should be noted that the research Craft writes of deals with ethics in business. The step from there to the people who are committed to the undocumented migrants may seem long. However, I believe that it is possible to find similarities. It is in both cases decisions that in one way or another affects people from a moral point of view, even if the consequences of the decisions can vary considerably.

In my analysis, I will not go into detail on other research in the area of ethical decision making than Jones (1991). Jones (ibid) has a social- and moral psychological basis for his theory. Whether it is also used in the business world, I argue it can give a very good understanding of ethical dilemmas in many other areas. Several of the examples that Jones (ibid) takes to describe his theory are also very general.

3.2.1 Jones (1991)

Thomas Jones (1991) theory is a development of an existing theory from Rest (1986). I will use Jones (1991) theory, but when it builds on Rest (1986), the latter will also be presented. When I present Jones (1991) and Rest's (ibid) theories, I have reworked a summary of these from Lincoln and Holmes (2011). Note that Lincoln and Holmes refer to a work of Rest from 1994 and not from 1986.

Lincoln and Holmes (ibid) write that Rests' (1994) view was that moral judgment was not the only thing which could affect the ethical decision making. According to Rest (ibid) there are four different psychological processes involved in the ethical decision making: "moral sensitivity, moral judgment, moral motivation/intention, and moral character/action." (Lincoln and Holmes, 2011, p. 56).

Lincoln and Holmes (ibid) refer to Rest (1994) and write that *moral sensitivity* or moral awareness is about a person's ability to recognize that a query contains a moral component. The person needs to be aware of that his action may harm and/or benefit others.

Moral judgment is about to evaluate and formulate the potential solutions to the moral topic which are morally acceptable.

Moral motivation or *moral intention* is about the intention to select a moral decision before another solution that represents a different value.

Moral courage or moral action is about how the person is acting in the situation.

According to Lincoln and Holmes (2011) are these steps not in a specific order. Each part of the steps is distinct and each part has the possibility to affect the other parts.

Lincoln and Holmes (ibid, p. 57) write that Jones' (1991) view was that the moral intensity affects the ethical decision making. Moral intensity is the "characteristics of the moral issue". According to Lincoln and Holmes (2011) was the idea from Jones (1991) that moral intensity could affect all four steps in Rest's model. Jones (ibid) stated that there are six dimensions of

moral intensity. Theses dimensions are "Magnitude of Consequences, Temporal Immediacy, Social Consensus, Proximity, Probability of Effect, and Concentration of Effect" (Lincoln and Holmes 2011, p. 57). The following summary is reworked from Lincoln and Holmes (ibid, pp. 57-58).

Magnitude of Consequences is about to which extent a person can benefit or be harmed by the action that the decision maker takes. The moral intensity will increase if the degree of benefit or harm is great.

Temporal Immediacy is about how long time it will take between the action and the consequences of the action. If the result of the action directly will give negative consequences, that will give a greater augmentation in moral intensity comparing with an action with delayed consequences.

Social Consensus is about the level of agreement within a social group that the action is bad or good. The social group can both be the whole society or a smaller social context. If the social consensus is strong that the act is wrong morally that will give an increase in moral intensity[27].

Proximity is about how near the decision maker is to the persons who can be influenced by the consequences of the decision. If the proximity augments will also the moral intensity be greater. Proximity can be a feeling of nearness that is cultural, psychological, physical or social.

Probability of Effect is about how probable it is that the forecasted consequences and the expected degree of benefit or harm will be real. Moral intensity augments if the likelihood is high that the action will happen and create the predicted harm.

Concentration of Effect is about the correlation between how many persons that will be affected and of how great the harm will be. Moral intensity augments when the concentration of effect is high.

When I will review potential assessments from the advocates of which undocumented migrants that will be prioritized I will use these six dimensions of moral intensity. Apart from when I apply the organizational factor (see below) by Jones (1991) model, I will not go into more detail on the four stages as Jones (1991) has taken from Rest (1986). The reason for that is that I consider it difficult to determine e.g. difference in the advocate's acting regarding the first two steps in the model.

I will use Jones (1991) dimensions both in a narrow sense and in a broader sense. In a narrow sense, I mean the application based on Jones (ibid) original thoughts. I find, however, that it may be fruitful to also use the dimensions to illustrate the empirical material from a broader sense.

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[27] The content in the latter two sentences which I have taken from Lincoln and Holmes (2011) is not so clear in the original text from Jones (1991, p. 375). In my following analysis I will however use this free interpretation from Lincoln and Holmes (2011). Jones (1991, p. 375) writes: "The social consensus of the moral issue is defined as the degree of social agreement that a proposed act is evil (or good)."

An example of broader application is the time factor. Lincoln and Holmes (2011, p. 57) write that Jones (1991) argue that the time factor is relevant on the basis that; "an action that results in an immediate negative impact will create greater moral intensity than an act where the consequences are delayed." I will use the time factor in a broader sense for example to study what a commitment that builds up to an undocumented migrant for a long time can mean to the possible priorities for him.

Jones (1991, pp. 390-391) also has an organizational aspect of their model. According to Jones (ibid, p. 391), it is likely that organizational factors influence the last two of Rest's (1986) four steps described above, i.e., the "moral intention" and the "moral behavior". He distinguishes between implicit and explicit organizational impact. Referring to Vandivier (1972), he means that the former can affect the moral intent while the latter may influence the moral behavior regardless of the good or bad intentions.

I want to alert the reader that Jones (1991, p. 368) describe an ethical decision as follows: "an ethical decision is defined as a decision that is both legally and morally acceptable to the larger community." Although it is not punishable to assist undocumented migrants is the question whether or not it can be considered morally acceptable in society at large. There are certainly different opinions about that. Despite this possible discrepancy, I believe it is advantageously possible to use Jones (ibid) theory, with a focus on the six dimensions of moral intensity on my empirical material. The reason for this is that I see the model very robust and that it so clearly describes the decision making process and what can influence the decisions.

4. Methodology

I will in the following chapter give a detailed description of the methodological work behind this thesis, from idea to completion. Ekengren and Hinnfors (2012, p 73) write about inter-subjectivity in thesis writing. It means that the reader will be able to understand why the author has reached the results reported in the study. It is therefore required that the researcher is thorough in his description of the research process.

Empirically, this essay consists of two parts, one interview part and one review of newspaper articles. These two parts will be described in this chapter. However, I would like to alert the reader that since the chapter essentially has a chronological structure, the methodology behind the review of newspaper articles will be described in a later part of the chapter.

The following sections will be discussed in the chapter; *background and choice of method*, *interview study*, *literature review*, *article study*, *analytical method* and *ethical considerations*.

4.1 Background and Choice of Method

When I got the idea to write about those who are engaged in the undocumented migrants I first wanted to find out if it was a possible field of research in terms of availability of empirical material.

Before I finally decided on the topic for the thesis I wanted to get that clear. Since my aim was to get a deeper understanding of those involved in the work for the undocumented migrants, I decided that a qualitative study would fit best for this purpose (Holme and Solvang, 1997, p. 14). I also thought that interviews could be a suitable method in the context of a qualitative study. May (2013, p. 159) argues that the interview is a method of social research that can provide rich insights, e.g., about people's values and opinions, two areas that I was interested to know more about.

At a later stage of the process with the thesis, I decided, in addition to the interviews, to also do a study of newspaper articles relating to those involved for the undocumented migrants. Even this study has a qualitative approach.

Initially, however, the question was whether or not it would be possible to reach people who were willing to participate in interviews. As has already been noted, it is not punishable to assist undocumented migrants, as long as the help is given without a motive of profit (The Committee on Social Insurance, 2003/04). However, it is in the nature of things, given the security of the undocumented migrants, that people who are engaged in this issue not always are open with their involvement. I was therefore in need of a special entrance to come in contact with potential respondents.

I have friends who are well versed in the issues of the situation of the undocumented migrants. Through one of these I got in contact with a person who, in turn, has a very large

network. When this person was willing to help me with further contacts, I decided that I would be able to conduct a study of those who are engaged in the undocumented migrants.

May (ibid, pp. 174-175) mentions the difficulty for the researcher to get in touch with the people he wants to interview. Therefore a *snowball sample* can be a viable approach. It means that a person who is interviewed leads the interviewer to another person and so on. In my situation, it was in this phase not a traditional snowball sampling since the first people in the "snowball rolling" were not interviewed in the essay[28]. However, the contact with these persons helped me in a later stage when I could interview two other persons as a result of this.

Although I had at this point decided on the topic, I wanted to guard me if it at a later stage would nevertheless be difficult to obtain sufficient numbers of respondents for the study. I decided therefore that in parallel with the efforts to reach potential respondents initiate a review of previous research and literature.

If I were to make contact with a sufficient number of people for interviews would the literature review serve as a basis prior to the interviews and the thesis in general. However, if it would turn out that I would not get in touch with people to interview, I would instead use the literature review as an entrance to a depth qualitative literature review. In the latter scenario, the qualitative literature review would alone constitute the empirical basis for the thesis.

4.2 Interview Study

After some time however, I realized that it would be possible to reach a sufficient number of people so that an interview study could be conducted. As I already have mentioned one of the purposes with this thesis is to make a comparison between Christian and secular organizations and individuals involved in the issue. Besides the friend I have already mentioned I have another friend who is also engaged in the undocumented migrants. This friend helped me to get in contact with another person who in turn has a large network. Thus my two friends helped with contacts with two different networks. Through the first network I got in contact with respondents from secular organizations and through the second I got in contact with respondents from a free Christian congregation.

4.2.1 Strong Convenience Sample

Holme and Solvang (ibid, pp. 101, 104) argue that the sampling prior to qualitative interviews shall be done systematically and strategically, and have as large range of variation as possible. By doing this the interviews are likely to give as much and as detailed information as possible of what is being studied. This had of course been optimal also in my study.

The sampling in my study can instead be seen as a form of *convenience sampling*. Weiss (1994, pp. 24-25) describes that in this sampling the researcher will interview those he manages to reach. My understanding of Weiss is that he believes that it is normally not an acceptable method of sampling but it may be adequate when it comes to groups that are difficult to get in contact with.

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[28] My friend has been interviewed in the pilot interview that I conducted, but the material from that interview is not used in the analysis of the essay.

As I have already mentioned, it is in the nature of things that those who are committed in the undocumented migrants may not always be open with their engagement and can therefore be difficult to reach. I therefore consider it justified with a convenience sample in my study.

Aronsson and Fridheim (2006, p.10) refer to Deacon (1999)[29] that distinguishes between weak and strong convenience sample. In the former case, the researcher chooses what to study only on the basis that it is close at hand while the researcher in the latter case makes his convenience sample based on groups that could be related to the purpose of the survey.

Since I based my sampling on groups that can be linked to the survey's purpose, I consider my sample, with the terminology from Deacon (ibid), as a *strong convenience sample*. Also, I have been searching for a fairly even number of respondents from Christian and secular organisations. I argue that I therefore to some extent fulfill what Holme and Solvang (1997, pp. 101, 104) mean by systematics.

In summary, I got in touch with the people who participated in the interviews in three different ways.

Firstly, thanks to the two people I mentioned earlier with the big networks. They led me to a total of three respondents.

Secondly, via contact information on the website for the Swedish Network of Refugee Support Groups. This organisation claims that they not encourage people, who have got a final negative decision on their application of asylum, to hide themselves in order to avoid deportation (The Swedish Network of Refugee Support Groups, 2011, p. 73). At the same time the local organisations in this network are independent (ibid, 2010). Before I contacted these local organizations, I read on their websites and on Facebook if it was clear or if it was implied that they also worked to help people with final negative decisions. Based on the information I got, I took a number of contacts which at last led to one interview.

Via information on one of the local groups' website I also got the name of a person outside the local group that seemed to be involved in the issue. I contacted this person who agreed to an interview. Thanks to this respondent I also got in contact with another person that I could interview. In the latter case, it may be said that the aforementioned snowball sample method was used (May 2013, p 175).

Thirdly, I used the information retrieval service Retriever Research[30] and did a search for the Swedish words for *deacon* and *undocumented migrant*[31].I then got hits on articles that dealt with deacons who are committed to the undocumented migrants. I contacted two of the deacons mentioned in the articles and one of them agreed to an interview.

4.2.2 Interview Preparations

Ethical considerations regarding the interviews, such as *informed consent*, will be reported in the separate section on ethics later in this chapter.

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[29] I have in vain searched for the original text from Deacon (1999). It is not available at Gothenburg University Library.

[30] In Swedish *Mediaarkivet/Retriever Research*.

[31] The search was made: "diakon" AND "papperslös".

I chose a semi-structured format for my interviews. According to May (2013, pp. 162-163) this form provides both the opportunity for deepening and comparisons. That was something that fitted in well in my study where I both wanted to take part of the respondent's description of his or her involvement and compare it with the stories from others.

Before the interviews, I made two different interview guides, one for interviews with people from the secular organizations, and one for the interviews with people from the Christian organizations, and the advocate who is considered as an individual Christian advocate[32]. Most of the questions were common in both interview guides while two questions were different in each guide. The purpose of this approach was to compare aspects that were common to both Christian and secular advocates, but also to study the aspects that were specific for each category of advocates.

One thing that should be noted is that it had been possible for the Christian advocates to answer the specific questions for the secular advocates, while the specific questions to the Christian advocates had not been relevant to ask the secular advocates because they covered issues related to the advocates' engagement in the undocumented migrants in relation to the Bible.

Lantz (2007, p 60) argues that one or more pilot interviews is a help in the interview preparation. I conducted one pilot interview with a friend who is familiar with the issue. This interview led to some adjustments in the interview guides prior to the upcoming interviews.

4.2.3 How the Interviews Were Carried Out

In total, I did seven interviews. The respondents were representatives from three Christian churches, one individual Christian advocate and three representatives from three secular organizations. One of the interviews with representatives from the churches was a joint interview with two people working with undocumented migrants in the same congregation.

Three of the seven interviews were "traditional" interviews "face to face", two interviews were conducted via telephone and two interviews consisted both of communication via the Internet and via telephone.

The "traditional" interviews were recorded and lasted between approximately 45 and 70 minutes. Lantz (ibid, p.74) writes about the pros and cons of recorded interviews. Recorded interviews facilitate the processing of the material, while a disadvantage may be that the respondent becomes more reserved. Regarding the interviews I conducted my impression is that the recording only had a minor effect from this point of view in one of them. In the two other interviews I did not feel that the recording influenced the conversation at all.

When it comes to the form of the interviews it should be mentioned that I had a wish to conduct a number of these over the Internet. Pearce, Thøgersen-Ntoumani and Duda (2013, p.1) write about the merits of qualitative interviews via the Internet through text messages in real time.

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[32] See chapter five for description of the different advocates.

According to the authors the advantages with this form are that it provides an opportunity for the interviewees to, in a comfortable environment, comment on topics that may be considered sensitive, while the depth of the survey is not lost. The authors also state that it is time saving because the transcription process is facilitated when the written material is produced directly during the conversation (ibid, p.10). Another advantage that I consider is that it allows interviews with people within a larger geographic area compared with "face to face" interviews. The disadvantages of this interview form, according to the authors (ibid, p 1), are the lack of body language and technical issues.

Since I initially thought that the benefits outweighed the disadvantages, I informed a number of those I contacted for interviews that I had intended to conduct the interview via the Internet, either through text messages as described above or via e-mail conversation in real time. I considered the latter as an opportunity for those who lacked the same program for text messages that I had access to (Skype). However in three of the five cases in which I had raised the question of interviews via the Internet the persons preferred interviews on site or over the telephone. These were wishes which I of course respected.

The two interviews which were conducted via the Internet could not be completed in this form. On the first occasion, an interview with e-mail conversation in real time, we were affected by technical problems that led to the interview had to be stopped. The interview continued by telephone two days later. In the Internet interview via Skype, the respondent stated, part way into the interview, that it would take too long time to express him/herself in writing. The interview was therefore directly continued through telephone instead. These two interviews as well as the other interviews by telephone were recorded.

Regarding the specific aspect with telephone interviews refers Lechuga (2012, p 265) to Novik (2008) who conducted a review of literature about qualitative telephone interviews. The review reveals three factors against the use of telephone interviews. They are the loss of non-verbal information, loss of contextual information and data distortion. I believe this to be three aspects to be taken into account. Lechuga (2012, p 265) wants, however, to stress the benefits of telephone interviews, e.g. that it allows interviews with people who would otherwise have been reluctant to participate or hard to reach. My interviews show both the pros and cons of this interview method.

A major benefit was that I got the opportunity to interview people in other parts of the country while one drawback was the risk of data corruption in the sense that there was some difficulty after the interviews to perceive what was said. The sound quality of the recorded telephone interviews was slightly worse than the sound quality of the recorded interviews conducted on site. Despite this I had no major difficulties to understand in retrospect what was said during the interviews.

Bryman (2012, pp. 472-473) writes about the importance of flexibility when the interviews are conducted. My view is that semi-structured interviews usually give a good balance between flexibility and structure[33]. In this study it meant that the interview guide was the base for the interviews but I also investigated topics which developed during the time for the conversations.

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[33] See May (2013, p. 162) regarding a similar discussion about the semi-structured interview as something in between the focused and the structured interview.

However the first question in both of the guides was never asked in any of the interviews[34]. The question was about the respondent s' age and educational background. It was also about civil profession when the advocates were not employed in the organisation. It can be discussed if it was the right choice, but I decided not to ask this question in any of the interviews. Nevertheless the issue about civil profession was dealt with in three of the four interviews with the volunteers directly or indirectly. I also have to add that in two of the interviews some of the questions in the guide were not asked due to time constraints.

Regarding the length of the interviews via telephone and the Internet were those between 60 and 75 minutes apart from the interview which both was conducted via email and telephone. The part of the interview which was carried out through e-mail lasted, due to the technical problems, about 75 minutes and the part which was conducted via telephone lasted about 40 minutes.

4.2.4 Transcription

After I had conducted the interviews they were transcribed. Kvale (2007, p. 95) argues that there is a basic rule in the context of transcription and that is that in the report, outlining in particular how the transcription was made. He argues that the transcriber has to choose between making the text more like the spoken language or to make it more like written language. Which choices made will depend on how the text should be used, e.g. if the text will be used for a linguistic analysis or to render the substance in a readable story.

Since my need for the transcribed text was to use it as a basis for future analysis, which would be substantive and not linguistic, I chose to make the text quite so literary rate. When I sometimes was afraid to misunderstand the content I kept a more colloquial tone rate.

Four of the eight respondents wanted to get the transcribed material sent for the possibility to give comments. When I sent the material I gave information about how the transcription had been made and how I in the text had noted the words that I due to lack of recording quality have had difficulties to accurately perceive. I asked the respondents to come back to me within two weeks if they had any comments or feedback. Two of the respondents contacted me but their comments did not give rise to any change in the material.

I will return to the analysis of the transcribed material in a later section of this chapter.

4.3 Literature Review

The literature review is presented in a separate chapter of this essay. I will in this section describe briefly the method behind.

Ekengren and Hinnfors (2012, p.34) argues that there is always earlier studies adjacent to the area even if they all times are not detected directly. This fits well into the review of previous

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[34] As I have mentioned above was the interview guide sent in advance before two of the interviews. At these occasions I had removed that question from the guide. In appendices A and B the reader can find the original interview guides with the questions about age, educational background and civil profession.

research that I did. After various types of searches, I got progressively a more extensive material of both Swedish and international literature.

In my searches I used what the above mentioned authors (ibid) calls for a gold mine, that is, the reference lists from previous works. It gave me knowledge of valuable literature. Otherwise I searched for literature by e.g. using the databases ProQuest and Gothenburg University Library's "Supersök". I used words in both English and Swedish for my search. I searched e.g. for "undocumented", "activism", "irregular", "migrant", "papperslös" and "flyktinggömmare". Furthermore, I booked an appointment with a librarian at the Economics Library at Gothenburg University Library, who gave me several valuable tips on useful literature.

4.4 Article Study

Since I was able to reach a sufficient number of people for interviews the aforementioned literature review got to serve as a knowledge base for the interviews and for the essay in general. I abandoned the idea that it would become the starting point for an in-depth qualitative study which would alone be the empirical material of the thesis.

At a later stage of the thesis, I returned, to the idea to make a form of document review as a part of the empirical basis, but with a different approach. After an initial review of the seven qualitative interviews, I saw a need for further empirical basis for the forthcoming analysis. I considered then to make two more interviews. Due to fear of difficulties in reaching potential respondents and thus the risk of lack of time, I abandoned that idea, however, in favor of an article review of the area via the database Retriever Research, available via Gothenburg University Library.

This database is described as the largest digital news archive in the Nordic countries and it contains printed newspapers, business newspapers and magazines. There is also access to non-printed material in the form of Swedish web archives, blogs, and TV/radio (Gothenburg University Library, 2013).

Besides from the estimated time saving, I argue, like Ekengren and Hinnfors (2012, pp. 72-73) that, from the methodological point of view it is also positive to make use of a combination of materials and methods. The authors argue that the research questions are likely to be answered more believable by such a combination.

Holme and Solvang (1997) mention various forms of analysis of written source material as part of the qualitative method and argue that many times it is a rich source of information (ibid, p 138). I will return to various forms of document review later in this chapter.

Regarding documentation review Holme and Solvang (1997, p. 129) distinguish between confidential sources and public sources, and between personal resources and institutional sources. According to the authors, newspaper is considered as public personal sources. An important question is to see how these documents are relevant based on the researcher's question.

When I did my review of the database Retriever Research I was interested in articles that in some way described those involved for the undocumented migrant's situation with special focus on the three areas that I previously described: housing, financial assistance and legal

advice. That meant that I e.g. opted out articles that dealt with those involved for undocumented migrants' right to health care. The selection of articles carried out is described in more detail below.

May (2013, p 253) writes that one problem in document research is that "The people who decide to register, to include or exclude, are characterized by decisions that are related to the social, political and economic context in which they are a part of."[35] I am well aware of that and that my review, so to speak, becomes completely vulnerable to the article authors' descriptions of the different situations. My purpose has been to analyze what the reporters really has chosen to include in the articles, and not reflect on things which I believe may have been omitted by the author.

Holme and Solvang (1997, p.136) believes that primary sources in the form of e.g. a letter are preferred to secondary sources in the form of e.g. a newspaper article that describe the content of the letter. The articles that I have selected are to be regarded as secondary sources when they consist of reporters' interviews with various people involved for the undocumented migrants. If I instead would have had access to the individuals' own written stories it would have been preferable, but now I get to start from the material available.

4.4.1 Sample of Articles

After a number of initial searches in Retriever Research I found several articles which I assessed as relevant to the purpose of the essay. To get a systematic search, I decided to finally do a search for articles from 1 January 2000 to 31 March 2014.

I can't give any more detailed explanation as to why I just chose 2000 as the starting date of the time interval besides the fact that that year marked the beginning of the new millennium, and thus can be seen as a natural demarcation. I chose 31 March 2014 as the deadline because I wanted to get as current articles as possible.

I picked out articles that exceeded 400 words. I omitted the articles which contained "Hallands Nyheter" because I, at the initial searches, found a large number of irrelevant hits from this newspaper. Furthermore, I chose the option "all sources" which is more extensive than the default option, "Swedish printed press".

I used quotes and so-called truncation (Retriever, 2008?)[36]. It meant that the search in Swedish "göm* flykt*" gave hits on all words beginning with "göm" and "flykt" and which were standing next to each other in the texts, e.g. ''gömma flyktingar".

I did the following searches that yielded the following number of hits: "göm* flykt*" = 6 291 hits, "hjälp* pappersslös*" = 309 hits, flyktinggöm* = 159 hits and "göm* pappersslös*" = 157 hits.

Then I read the title and the introduction for each hit to see if the article could possibly be useful. If there was no title and introduction I ignored the article. Of the articles that I examined closer I found a total of 31 articles that were more or less useful for my purpose. Of

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[35] My translation from Swedish.
[36] For more information about search methods see Retriever (2008?).

these 31 articles, I chose on the basis of quality four for the further analysis. By "basis of quality" I mean that I searched articles which provided a relatively detailed description of the advocates' commitment.

The four articles that I selected were about five different people who are committed to the undocumented migrants. These articles will hopefully be able to answer the question Holme and Solvang (ibid, p 129) pose regarding the selection of sources, "What gives a better understanding of the problem we are working on?"[37]

One of the articles (about two advocates) was written in 2005, one article was written in 2007, one article was written in 2011 and one article was written in 2012. I am aware of, in particular the article from 2005, can be regarded as out of date for a study that is otherwise performed almost ten years later. However, I believe that much of what is described about the advocates' commitment can be assessed as factors which still may have general significance.

4.5 Analytical Method

In order to analyze my empirical material, I have used a combination of inductive and deductive methods (ibid, p.51). That means I first went through the interviews to look for common characteristics (inductive method). Once I had done that I chose theoretical perspective in the form of Jones (1991), which I then had as background both for the article review and for the subsequent analysis of the interviews (deductive method). When I analyzed the texts, I went through these thoroughly and reflected and commented on most of the statements. Once I had done that with all the texts I tried to find common themes for further analysis. These common themes were used both in the analysis of my empirical material and both in the initial draft for a theoretical model of thought which I created.

Another example of how I worked deductively was that in the final stage of the analysis I chose to write a preliminary chapter with conclusions before I had finished the actual analysis. It made it easier for me when I would then complete the analysis. On the basis of the preliminary findings I could examine my results. That led to further adjustments, both in terms of the text itself and the conclusions.

4.6 Ethical Considerations

In terms of ethical considerations in essay writing Ekengren and Hinnfors (2012, p. 112) write on the importance of information about the project to the respondents. Initial information can e.g. be given by letter. In my study was the initial contact either by e-mail or by telephone. The above authors write that many times it is sufficient that in the initial letter[38] give general information about the contents of the interview, but if the respondent requests to take part of the interview questions must the researcher let the respondent do that (ibid, pp. 112-113).

One of the respondents asked before the interview if it was possible to prepare in any way. I chose to interpret this as a wish to take part of the interview guide and therefore it was sent on the evening before the interview was conducted. On another occasion, I sent the second half

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[37] My translation from Swedish.
[38] My initial letter is found in appendix C.

of the questions[39] a few hours before the interview started. Apart from these two occasions the respondents did not took part of the interview questions in advance. Before each interview began I gave more detailed information about the purpose of the essay if it had not been done before.

Regarding the issue of confidentiality the respondents, where the interviews were conducted on-site, got the opportunity to sign a form of informed consent[40] before the interview. I designed the contents of this form with the base in the template available as an appendix to the handbook for this course. When the interviews were conducted via telephone and/or Internet, the respondents gave written consents either via e-mail or via text message in real time.

I had first intended to publish the names of each organization in the study. I therefore asked the respondents to consent to it and got it from all except two. At a later stage, I made the conclusion that the possibility of generalizations of the material would be greater if the names of the organizations would not be mentioned. I sent therefore e-mails to the respondents and informed about this[41]. In connection to that, I thanked the respondents for their participation and informed them briefly about the study's preliminary findings. I argue that in addition to the increased generalizability, the decision to not publish the names of the organizations also gave a higher degree of confidentiality for the respondents.

Regarding ethical considerations, I have taken several steps to avoid that none of the undocumented migrants described in the texts can be identified. I asked the respondents to de-identify their narratives of actual situations. It should be added that several respondents due to the risk of identification declined to go into further details, but where it was made, I urged the respondent to de-identify the situations. Besides this, at one point in the final text I changed some factual information. This is to further minimize the risk of possible identification.

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[39] This was the interview which, due to technical problems with the e-mail-function, continued by telephone two days later.
[40] See appendix D.
[41] See letter with this information in appendix E.

5. Findings and Analysis

In this chapter I will first present some background information about the respondents in the study, e.g. why they are engaged in the situation for the undocumented migrants. I will also shortly describe the practical work they perform for the undocumented migrants.

In the analysis will focus be on two themes, *the law* and *possibilities and proximity*. As I have already stated I will use my theoretical perspectives explained in chapter three in order to understand the empirical material. In this chapter I will hardly make any parallels to studies from the literature review, I will mainly make such parallels in chapter six.

I have to mention that all of the respondents in the interviews were very communicative and reflective. Together with the material from the newspaper articles I therefore got a very rich empirical material. This material was due to time constraints not possible to analyze as I had wished. I had to limit the analysis to the parts which will be described in the following text.

5.1 Description of the Respondents

The empirical material consists of both interviews and newspaper articles. I did seven interviews. In one of the interviews I had the opportunity to interview two people from one organization simultaneously. This is seen, however, as one response because they represented the same organization and their responses overlapped and did not differ significantly. I interviewed representatives from three Christian and three secular organizations as well as one individual Christian advocate.

In the document review I selected four articles where a total of five different people engaged in the undocumented migrants described their work.

I judged that all articles were written with a focus on the interviewees' personal commitment to the issue, rather than focusing on any organization that the respondent belonged to. I have therefore chosen to consider all these five individuals as "individual" rather than as representatives of the network (in two cases) and the church (in one case) as they were engaged in. In the comparison between the secular and Christian organizations and individuals, however, their respective backgrounds will be considered. That means that the pastor who is interviewed will be categorized together with other Christian respondents. Since from the other articles I can't see anything that shows that any of the respondents would have a Christian foundation for their commitment, these four people in the comparison will belong to the "secular".

This means an empirical base from a total of 13 persons but twelve "empirical units" given what is described above about the common interview. These twelve units consist of representatives from six organizations and six individuals. Then, by comparing Christian - secular, these twelve units divided into five Christians (four interviews and one article) and seven secular (three interviews and four articles) units. The methodology chapter shows that the number in each category is not entirely the same, but when I have more interviews with Christian than secular units, I argue that the comparison will nevertheless be reasonably

acceptable.

Although it is not my purpose to either do some geographical comparisons or comparisons based on gender, I can for the sake of context mention that the respondents in my interviews are from five locations in different geographical parts of Sweden. Five are women and three are men.

Regarding the persons described in the newspaper articles it can't with certainty be said anything about the geographic background. If I assume that the newspaper's resort of publication coincides with the person's place of residence can here be observed that the geographical spread is slightly smaller with two locations with two people living in each city. Regarding the fifth person makes the writer a point of not mentioning the residence. Since the newspaper that the article is published in is nationwide it is not possible to draw any conclusion based on the newspaper's place of publication. Regarding gender is three of the persons described in the articles women and two men.

In my seven interviews with eight respondents are four employees and four volunteers. Of the newspaper articles it can be understood that one of the persons interviewed were employed, and that one was a volunteer. Regarding the other three can't this be said with absolute certainty, but based on what is presented in the articles; it is highly likely that they also were volunteers.

I will below briefly describe each "empirical unit". In order to avoid unnecessary repetition, I will here present the source for each newspaper article, but not in the following text repeat it. The sources are also shown in the bibliography in a special section.

In the methodology chapter, I have described in detail how I in a late stage of the work with the thesis decided not to mention the respective names of each organization. I have instead decided to number them as shown below. Similarly, I have chosen to number the advocates, not representing any organization. Another possible solution that may have resulted in a less heavy linguistic form had been fictitious names for both organizations and for the "individual" advocates. However, since I estimate that it would have been difficult to find suitable fictitious names for the organizations I argue it is more consistent to only number both organizations and individual advocates.

All the interviews were conducted in Swedish and all the articles are written in Swedish. That means that all quotations are my translations from Swedish.

In the following descriptions, I will briefly describe the background and ideological foundation for the engagement where I have had access to such data. I will also note if the data are drawn from interviews or from articles.

Advocate in Secular Organization no. 1

This advocate states that his family had a social commitment and contact with many migrants. It was only a few years ago when the person moved to another town as the commitment to the undocumented migrants awakened seriously. The person is now the chairman of a relatively new organization. The work was started to coordinate efforts around a given undocumented family. The organization has still only an engagement for one family. The advocates' coming statements has to be understood in light of this. The organization can however, besides the

financial aid to that specific family, also help other migrants with contacts to lawyers so the migrants can get legal advice. The organization also has a wish to increase the efforts in the future. The advocate describes the personal involvement primarily as social but also as political. The data are from an interview.

Advocate in Secular Organization no. 2

This person began to engage for the undocumented migrants due to this person one day received an urgent request from a friend that there was a person who needed help. Initially was this advocate involved in the issues only as an individual but become after a while active in the organization where this person still is active. The person stated that the basis for the engagement is both political and religious. The organization itself, however, is entirely secular. The data are from an interview.

Advocate in Secular Organization no. 3

This advocate had been engaged in the situation for the undocumented in over a year. The person stated that there was a need for a change in this persons' life and that "the only meaningful change to do in the world, there are so many problems, it is to work with the migrants' situation." The advocate stated that the commitment also is linked to previous studies in human rights. The data are from an interview.

Advocate in Parish no. 1 in the Church of Sweden

The commitment to the undocumented migrants for this person began about five years ago when the person was ordained a deacon and started to work in the parish where this person is still working. The advocate describes the basis for the involvement that it in the mission as a deacon is included to "stand on the side of the most vulnerable". Another basis for the engagement is an "interest in fellow human beings." The data are from an interview.

Advocate in Parish no. 2 in the Church of Sweden

This advocate, working with these issues as a deacon, states that the first contact with an undocumented person was about 15 years ago when a woman came to a church service. The deacon has continued the commitment to the undocumented. The advocate mentions various factors as ground for the engagement; "all people are equal", the Convention on the Rights of the Child and the Christian faith. The data are from an interview.

Advocates in a Christian Free Congregation

These advocates are both employed in a free Christian congregation and were interviewed together. The work for the undocumented migrants is a part of their employment in the congregation. Both advocates argue that it is the Christian faith that drives them in their commitment. One refers e.g. to a verse from the Bible where Jesus says that the people who have helped another human in a vulnerable situation have in fact helped Jesus himself. In the text, the advocates will be referred to as no. 1 and no. 2 in the free Christian congregation.

Individual Advocate no. 1, Christian

The commitment to the undocumented migrants awakened for this advocate during a lecture in connection with university studies for approximately three years ago. The advocate then contacted a person who was involved in the issue. The advocate went on a home visit to an undocumented family and then has the commitment continued. The advocate is now engaged in one organization which assists the undocumented migrants based on the Christian faith. The advocate says that what drives this person in the work for the undocumented migrants is solidarity. The data are from an interview.

Individual Advocate no. 2, Christian

This advocate who is employed as a pastor in a congregation, have inherited the commitment to the undocumented migrants due to the fact that individual church members have not been able to pursue their engagement. From the data, taken from one article, I get the impression that the pastor is engaged primarily of duty. The data are from an article in the newspaper/magazine *Vision* from September 10, 2012. The article is written by Lotta Ekstedt.

Individual Advocate no. 1, Secular

From the data about this advocate, which are taken from an article, it appears as this person is engaged in a specific undocumented family. The advocate came in contact with a migrant when his school class visited the advocate's workplace. The advocate states that it was an obvious choice to go into a commitment to the person and says that "respect and empathy" are the essential values for the engagement. The data are from an article in *Kristianstadsbladet* from March 16, 2011. No article author is noted.

Individual Advocate no. 2, Secular

This advocate says, in the beginning of the article in which this interview is published: " - The golden rule is: help people in need. As you treat others you will be treated." This person is involved in a network of some 30 helpers. The article also reveals that the joy that this advocate see when it is possible to help people from distress is important for the engagement. The data are from an article in *Kristianstadsbladet* from September 25, 2007 (updated June 29, 2010). No article author is noted.

Individual Advocate no. 3, Secular

From the article where this interview is retold it appears as this advocate got the base for the engagement from home. The article describes the advocates' commitment to a specific family. It also appears that the advocate is adversely affected by the involvement but seems to put it in other hand to support the family. The data are from an article in *Nerikes Allehanda* (north edition) from September 11, 2005. The article is written by Ulrika Lindahl.

Individual Advocate no. 4, Secular

The story of this advocate is given in the same article as the above mentioned article. Of the article's design it seems as the two advocates not cooperate or have knowledge of each other. The article reveals that this advocate coincidentally got in touch with an undocumented family. Since then, the involvement for the family continued. The advocate calls the own commitment "moral courage". The data is then taken from the article in *Nerikes Allehanda* (north edition) from September 11, 2005 and article writer is Ulrika Lindahl.

5.2 The Advocates' Practical Work for the Undocumented Migrants

Before I will present the analysis, I want to briefly describe the practical work for the undocumented migrants which the advocates perform. What is striking is how similar the tasks are independent of the organization. In the introduction I wrote that the advocates in the study work with one, two or all three of these areas: assistance in arranging accommodation, financial assistance and legal support.

Regarding legal supporting it varies among the different advocates if they perform this work themselves or if they help the undocumented migrant with contacts to lawyers. Many of the advocates emphasize social support. For example it can mean that the advocate follows the undocumented migrant to different social institutions such as health care, but, perhaps more important, to only be present and to be a friend.

There are other duties that some advocates perform which are not linked to the individual undocumented, but are done in order to support the organization in other ways. For example focus on providing information about the work or to arrange a support party.

In two of the articles it is also shown that the advocates are working for persons who not have the right to be in Sweden. It is said that they sometimes, due to the risk that the place of accommodation will be revealed, have to help the undocumented migrant to change location, sometimes in the middle of the night.

5.3 Theme 1 - The Law

The law is a central concept in this thesis and the first theme for the analysis. This theme will be divided into three parts; *Free or regulated immigration? Is the law or the implementation of the law wrong?* and *Two different approaches to the law*. In all sections I will analyze my empirical material mainly using theoretical perspectives from Alexy (2005).

In the first part, I will study how the advocates relate to free or regulated immigration in Sweden. The second part is about if the advocates believe that the current legislation is wrong as such, and therefore there is a need to engage in the undocumented migrants, or if the fault is how the legislation is implemented by the authorities.

The two first parts are about the advocates *attitudes* to the law. In the third part I will study their *approach* to the law in two different fields. The first area is the advocates approach to the system with regulated migration when it comes to their assessments *before* they enter into an engagement for an undocumented migrant. The second area concerns the question of how the advocates relate to the law in the practical legal commitment to the undocumented migrant the times the advocate has made the assessment to enter into an engagement.

Free or Regulated Immigration?

I have in chapter two described the differences Vestin (2012) sees between the asylum movement and the no border movement. She noted that although the background to the movements differ, their practical work have a lot in common. I have in my review of previous literature found that among the advocates in Sweden it is not common to advocate for open borders.

I will in this part study how the respondents in my empirical material relate to the issue and how it can be understood based on what Alexy (2005) writes about the non-positivist requirement that the law shall have a moral content, and the issue of social validity for a legal system.

Two of the advocates in my empirical material were strong proponents of free immigration. One of them saw it both from a practical and from an ideological perspective. In the following quote this advocate criticizes the current system of regulated migration from a practical perspective:

"When you have regulated immigration, you get this problem, 'where do we draw the line?' That assessment I see as impossible to do, and when it is done it is far too often done on totally unfounded premises and lot of people caught in the middle. Then I think it is better for people to move freely across borders." (Advocate in secular organization no. 1)

Later in the interview, the same advocate criticizes the system of the regulated immigration from an ideological perspective:

"To me it is almost, to some extent, an existential question: 'who has the right to live where, can that be decided?' I have no more right to this land than any other, I happened to be born here." (Ibid)

In the current system with regulated immigration are assessments of who has the right to stay in Sweden required. The other supporter of free immigration expresses the criticism of the current system in the following quotation.

"People who have come here have made their way here for a reason. That reason is not for me to judge, it is not for anyone to judge." (Advocate in secular organization no. 2)

According to Alexy (2005, pp. 21-22) the non-positivistic legal concept contains, besides proper determination and social impact, also moral elements. When I use the theory from Alexy (ibid) to understand the empiric material I believe it is possible to understand the two proponents of free immigration on the basis of the non-positivistic legal concept. They believe that the current legislation is morally wrong and that free immigration is the only morally viable solution.

The question is how, with the help of Alexy (2005), it is possible to understand the advocates who are not proponents for free immigration? Do they believe that free immigration would be morally wrong? My summary description of three of the advocates in my empirical material is that they regarded free immigration as something desirable in a dream scenario, but not possible in the current situation. I argue that two of these three advocates can be understood based on what Alexy (ibid, pp. 105-107) writes about the sociological concept of validity. I understand these advocates as they believe that a system of free immigration in the current situation would lack social validity in the community. Based on my understanding of Alexy

(ibid, p. 107), such system would therefore not be legally valid.

The following two citations illustrate this. The advocates themselves would like to have *no borders* but are unsure or afraid of the social consequences in the society with such a system.

"I think it would be naive to think it would work if we just introduced it now. It requires that it is anchored together, as a popular education movement, political, and that organizations discuss it; 'do we want to receive?' and 'what does it mean for us if we do that?' I think if people really got to meet these desperate undocumented migrants, it would be a willingness to receive them. But if one were to get there so that you could anchor it a bit better, I would love to see free immigration." (Advocate in parish no. 1 in the Church of Sweden)

"I can't really imagine the consequences of *no border*. I would love to have it, but I think 'what will it bring?' [---] It will give so massive conflicts; it can be created an approach such as 'now we have to protect our village against those who move closer to us', which has been seen in history." (Advocate in parish no. 2 in the Church of Sweden)

It should be added that one of the two advocates who advocate free immigration also problematizes the issue with reference to the argument that I believe is adjacent to what Alexy (ibid, pp. 105-107) writes about social validity.

"There are certainly a lot of challenges that must be taken into account. It would be foolish for example if it came so many to Sweden that our system collapses so that no one gets anything out of anything. But it is also a very hypothetical dystopia." (Advocate in secular organization no. 1)

Is the law or the implementation of the law wrong?

This part will address the issue if the advocates believe that the reason that they see a need to get involved for the undocumented migrants is because the current law is wrong in itself, or if the fault is the implementation of the law. My interpretation of the empirical material has shown that there is support for both of these two attitudes.

One of the respondents who argue that the law itself is correct, but that is implemented wrong states:

"I do not mean that we have to abandon the rules, no it requires strict rules. The problem is that those who really want to assimilate themselves with Sweden and have the greatest need of staying often get no from the Migration Board." (Individual advocate, secular, no. 2)

When I use Alexy (2005, p. 57) in order to understand the empirical material, I interpret it as the advocates that I argue represents this attitude do not agree with the authorities regarding what the law really tells. Alexy (ibid) takes the example of the judge who does not make a correct interpretation of the law when he improperly is sentencing a person to life imprisonment. Alexy (ibid) argues that the judge in such a situation does not follow the rules of the positive law that says a judge must interpret the law correctly.

There are also some advocates who according to my analysis can be said to stand for the second attitude to the law, that the law as such is or can be wrong and that also the implementation of the law can be wrong. Two of these advocates are proponents for free

immigration. The fact that they want to see no borders means that they regard the current legal system with regulated immigration to be wrong. The law *as such* is wrong. Despite the ideological criticism of regulated immigration meant one of these two advocates also that what, after all, can be good with some of the legislation in the current system can also be implemented wrong. "Regardless if it would be good decided it is not followed." (Advocate in secular organization no. 2)

The third of the respondents with this attitude refrained from having a standpoint on the issue of free immigration. This advocate gave both an expression of the view that the law itself may be wrong and that that the implementation could be wrong. Regarding the view that the law as such is wrong the advocate argued that the Refugee Convention is "very tight". The advocated added; "there are very hard requirements regarding proof that shows persecution and it has to be linked to certain grounds." (Advocate in secular organization no. 3) Concerning the incorrect implementation of the law argues the same advocate that the implementation of other criteria that can give residence permit is extremely restrictive.

This advocate criticizes the Refugee Convention when stating that its proof requirements are too strict. Based on Alexy (2005, p.22), I interpret this attitude from the non-positivistic legal concept and its requirement that the law must contain moral elements. A law can be criticized based on its content. In this case, the advocate argues that the law is substantively morally wrong because the proof requirements are too hard.

The advocates' approach to the law before and after starting a commitment

This part is about the advocates approach to the law in two different fields. The first area is about the advocates approach to the system with regulated migration when it comes to their assessments *before* they enter into an engagement for an undocumented migrant. The second area concerns the question of how the advocates relate to the law in the practical legal commitment to the undocumented migrant the times they have decided to enter into an engagement.

I argue that the first area can be regarded from the perspective whether or not the advocates shall adapt to the current system with regulated immigration when they do their assessments on which undocumented migrants they shall engage in. Shall they do the assessments on grounds which can be seen as similar to the assessments done by the migration authorities or shall it be done in a different way? My view is not that the advocates always assess the situations similar as the authorities. My point is that they in a similar way as the authorities consider the reasons for the undocumented migrant, e.g. *what would happen if the migrant return to his country of origin?*

My empirical material shows that the advocates' approach to this question is very unevenly distributed. There is one organization (secular organization no. 2) having a system which says that which undocumented migrants they should engage in is not based on assessments of this kind. If they start a commitment, it should only depend on the availability of financial and/or human resources within the organization. This organization stands out in the material. The other advocates make some kind of assessment that I argue can be regarded as an adaptation to the current system of regulated immigration.

Is it possible to understand the representatives of these different approaches to the current legal system based on Alexy (2005)?

I have already stated that I, based on Alexy (ibid, pp. 21-22), interpret that the advocate in secular organization no. 2, has the opinion that the current system of regulated immigration is morally wrong. I understand this organization's approach to not let traditional assessments determine the engagement as a natural consequence of this attitude. I interpret the organization as they, since they regard it as morally wrong to limit who should come to Sweden, also regard it as morally wrong to make assessments which indirectly are based on this system.

There is one organization (secular organization no. 1) which advocates free immigration but in practical work has assessment criteria which are similar to the organizations who do not work for no borders. My understanding of this more pragmatic approach is that it is based on a view that, if there would not be any assessments, e.g. regarding the possibility to return to the home country, it could lead to long involvements without possible solutions in sight. The advocate from this organization states that such situations are very stressful for the undocumented migrant.

I make the interpretation that the ideological belief is deeply implemented in the secular organization no 2. The advocate says that it is very difficult situations when an undocumented person who they have contact with has committed a crime in Sweden. If the organization contacts the police, there is a big risk that the person will be deported from Sweden. That would not have happened if a Swedish citizen had committed the same crime. The advocate argues that what can be the consequence of deportation is not commensurate to the crime that the person has committed: "the sentence; capital punishment, torture is a bit high" (Advocate in secular organization no. 2).

Based on all the information that I have received during my interviews, and even based on my prior understanding of the topic, I understand that although many undocumented migrants face a very uncertain future if they are deported from Sweden, it is unlikely that all of them risk torture or capital punishment. The secular organization no. 2 has a strong ideological conviction that the potential risks of a return are not acceptable criterion to determine whether assistance should be given or not. If they would not have had such a strong conviction might it had been tempting to try to examine more closely what really would have happened after a possible deportation after a police notification of a undocumented migrant who has committed a crime in Sweden.

Such a scenario seems not have been something that the advocate has reflected on. Based on my understanding of Jones' (1991, p. 375) dimensions of intensity in the moral decision-making I argue that there is a very strong social consensus within this organization. This is a consensus that says that no factors other than financial and human resources within the organization are relevant when the organization decides which undocumented migrants they shall support. This social consensus affects the advocate. Of course, the advocates own personal values are also important. Several times during the interview, the advocate was emphasizing the view that assessments of the reasons why the undocumented migrant lack residence permit are irrelevant.

The other area in this part is about how the advocates should relate to the law in the practical legal commitment to the undocumented migrants the times that they have chosen to enter into a commitment. Some of the advocates themselves perform legal work in support of the undocumented migrants, while others contact lawyers who can help. In both cases, the

advocates, either directly or indirectly are in contact with one of the consequences of the regulated immigration, rejected decisions from the migration authorities. Based on my understanding of Alexy (2005) the advocates can relate to these decisions in two different ways. A decision can be either criticized from the positivist or from the non-positivist legal concept that Alexy (ibid) describes.

In my empirical material I argue that I can see examples of statements to be understood from both concepts. Several advocates say that the undocumented migrant would be entitled to a residence permit if the law really was followed. From the perspective of the positivist legal concept (ibid, p. 57) this can be seen as a battle between the advocates and the authorities about *what the law really states*. There are also advocates who criticize decisions based on moral grounds. I mean that these cases best can be understood from the non-positivist legal concept (ibid, pp. 21-22).

One question that may be asked is; from which legal concept is the greatest chance of winning the battle so that the undocumented migrant can get a residence permit? Bauhn (2012, p. 319) writes of the positivist legal concept's impact on the Swedish legal system the last century. I argue that a likely consequence of this influence is that it can be difficult to claim only moral arguments to support the claims for a person to be granted a residence permit.

5.4 Theme 2 – Possibilities and Proximity

The second research question is about what influences the potential assessments the advocates do in their work for the undocumented migrants. In the empirical material I found that *possibilities* and *proximity* are important factors in order to understand this. I have therefore divided this theme into two parts, *possibility* and *proximity*. Possibility is both about the possibilities for the undocumented migrant to obtain residence permit and the possibilities to return to the country of origin, or other country the person has left. The part *proximity* will deal with proximity in relation to the individual, the organisation and the society.

It has to be underlined that the assessments are very complex and it is likely that they also are influenced by different other factors. E.g. mentions Craft (2013) in her review of previous research in the field of ethical decision making e.g. emotions and personal values. In the empirical material I have seen the influence of especially emotions, but in order to limit the analysis it has not been possible to make a further examination of that.

Something that was consistent in the empirical material was that the respondents either tried to see if there could be realistic possibilities to obtain a residence permit or whether it might be possible to return or not. These topics were discussed in some form in six of the seven interviews and more or less explicitly by all of the persons interviewed in the articles. The secular organization number 2 has the practice that such factors are irrelevant for their engagement for the undocumented migrants. The other eleven advocates' thoughts about these questions varied. I have compiled their responses and approaches by establishing four variables. I will use Jones (1991) theory of the intensity in the ethical decision making to understand the advocates.

The four variables:
1. Possibility to residence permit – no possibility to return
2. Possibility to residence permit – possibility to return

3. No possibility to residence permit – no possibility to return
4. No possibility to residence permit - possibility to return

I would like to stress that the different variables is based on my overall assessment of the empirical material. It means e.g. that the quotations in the first variable are taken from two different advocates where one is talking explicit about the possibilities to residence permit and the other is talking explicit about the lack of possibilities to return. Furthermore I would like to underline that the variables deal with the advocates assessments of the situations. These assessments can differ, both comparing with the view of the migration authorities and with view of the undocumented migrants.

Possibility to Residence Permit – No Possibility to Return

Many of the advocates talk about searching for *openings* in the cases, openings which can lead to residence permit. The advocate from the secular organisation no. 3 narrates that the co-workers in that organisation read through the documents from the Migration Board in order to see if there may be possibilities to "come further" in any aspect. In this work are the co-workers studying different country reports in order to synchronize it with when the person got the decision that the application of residence permit was rejected.

Impediments of enforcement is the only judicial possibility that exists when a person has got a legally final deportation order. To get impediments of enforcement there must be new circumstances in the case. The co-workers in the organisation are looking for such circumstances.

When I use Jones (1991, pp. 374-376) dimensions in the form of "the magnitude of consequences" and "the probability of effect" on the empirical material I do the following interpretation. If the advocate after the review of the different documents assesses that it would be probably that an engagement could lead to a big positive consequence for the undocumented migrant in the form of a residence permit, is the chance higher that the advocate starts a commitment than if the advocate assesses that the probability to a residence permit is small.

This can be considered as something obvious. According to Jones (ibid, pp. 374-375)"common sense" is also behind the choice to put "magnitude of consequences" as a part of the understanding of the moral intensity. In addition he claims that the factor "probability of effect" in the model is something "logic".

I argue that it can be seen as logic that from Jones (ibid) and my empirical material make the conclusion that the probability that the advocate will engage will become even greater if the advocate assesses that there is, in addition, no possibility for the undocumented migrant to return to his country of origin. The engagement from the advocate will in these cases lead to a double positive consequence for the undocumented migrant. The migrant will get protection from the negative consequences that, with high probability, had waited in the country of origin and the migrant will also have the chance to residence permit if the advocate will engage in his case.

If the advocate sees that there can be a possibility for residence permit I make the assessment that it is very likely that there can't be any chances to return. This due to the fact that the

Migration Board only grants residence permit, due to reasons of protection from persecution if there is no possibility to return (The Migration Board, 2014).

The times when the advocate assesses that there can't be any possibility to return it will influence the engagement. The individual advocate, Christian no. 1, tells about a case where this advocate made the assessment that there was no possibility for the person to return. "They would send him back to death. It felt like there was no choice but to help them." (Individual advocate, Christian, no. 1) The advocate tells that this person later on also got residence permit.

Possibility to Residence Permit – Possibility to Return

Residence permit can't be granted within the asylum system if there are possibilities to return[42]. Residence permit can however be obtained outside the asylum system due to work. In these cases the Migration Board doesn't assess the possibilities to return. After new rules for migration due to work was introduced 2008 an asylum seeker who has got a final negative decision, but has an employment, can instead get residence permit through work (The Ministry of Justice, 2014). In my empirical material it is shown that two of the empirical units try to get work for persons who have been asylum seekers. They say however that it is very hard to find jobs.

These respondents did not get the question how they in these specific cases regard the possibilities to return. The advocate from parish no. 1 in the Church of Sweden said that persons who try to get residence permit through work not are down prioritized. The same advocate said that, in general, when he/she assessed that there would be a chance to return, he/she tried to get the undocumented migrant to reflect about such a thing.

The advocates from the free Christian congregation said that they trust that the undocumented migrant they meet don't have any other possibilities than try to stay in Sweden and not return. Based on these statements I make the conclusion that it would not be likely that an advocate would engage in a case where he/she saw that there would be possibilities to residence permit but also possibilities to return.

No Possibility to Residence Permit – No Possibility to Return

The third variable is about situations where the advocates assess that there are no possibilities to obtain residence permit and no possibilities to return. According to Jones' (1991, pp. 374-376) dimensions I interpret this as the advocates assess that it is probable that a potential engagement not would give a positive consequence in the form of a residence permit. In addition they assess that it is probable that a return would give serious negative consequences.

One of the advocates tells about an undocumented family this person has met and where this advocate made the assessment that the family had no possibility to return.

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[42] In exceptional cases can migrants get residence permit even if the authorities assess that the migrant doesn't need protection from persecution. "This relates to particularly distressing circumstances directly linked to their personal circumstances, such as a particularly serious health issue, adaptation in Sweden and the situation in their native country. A collected assessment of such circumstances may result in a residence permit." (The Migration Board, 2014)

"So I really got knowledge, I thought that it doesn't matter, they will not return, they would rather throw themselves in front of the train. There is no alternative, they have to stay, and I will do everything for that, that is their only chance, and they have two small children." (Advocate in parish no. 1 in the Church of Sweden)

The advocate doesn't say anything about how he/she regards the families' chances to get residence permit but when the advocate tells from which country the family is I make the assessment that it is likely that they have small possibilities to get residence permit. I make this assessment based on my pre-understanding and the entire information I have got during the interviews.

No Possibility to Residence Permit – Possibility to Return

Some of the advocates believe that there is a group of undocumented migrants who don't have possibility to get residence permit but in the same time may have possibilities to return. My interpretation of Jones' (ibid) dimensions is that these advocates, here as in the same way as in the third variable, assess that it is probable that a potential engagement would not give a positive consequence in the form of a residence permit. But, differently from the third variable, they assess that it is not probable that a return would give serious negative consequences.

From one interview I understand that the advocate believes that the consequences for different groups of undocumented migrants may differ if they return. The advocate compares in this statement persons from Syria and some Roma from Serbia or Kosovo:

"Syria, there you don't have any possibilities, you can't return. But those who are from Serbia or Kosovo, even if they are discriminated they may have possibilities. They have some kind of network; they have somewhere to return, a house, possibility to some kind of income." (Advocate in parish no.1 in the Church of Sweden)

The advocate states that the engagement for the latter group becomes weaker. This due to the emotional burden the work as a total gives. There is no possibility to engage in the same way for everybody. From my understanding of Jones (ibid) I argue that the advocate can be said to be forced to priority cases where the consequences with high probability will be "very serious" before cases where the consequences will be negative but probably not so serious.

Secular organisation no. 1 is a proponent for free immigration. Despite this the advocate from this organisation has not the same view as secular organisation no. 2 about a potential return. My understanding of the advocate in secular organisation no. 2 is that such questions are not relevant due to ideological reasons. Due to the hardship to live in clandestine argues the advocate from secular organisation no. 1 that there in some cases, if there is a possibility, can be the best solution to look for other alternatives as e.g. return to the country of origin. The advocate also mentions other possibilities like trying to get asylum in USA or Canada. "It would be very stupid to not look for all alternatives. Otherwise maybe you make it worse." (Advocate in secular organisation no.1)

The advocate from secular organisation no. 3 says that even if this organisation doesn't have any exact criteria for the assessments for which cases they shall give priority they can e.g. look for if the person "indeed can't go home".

Besides the possibilities of residence permit and/or to return highlights my empirical material also several other factors that I argue can affect the assessments. The most important of these is *proximity*. Proximity can be seen from three different aspects. Proximity can be in relation to the individual, in relation to the organization and in relation to societal aspects. In this section I will look at proximity from these three aspects. Proximity will also be related to time (Jones, 1991).

The Aspect of Proximity in Relation to the Individual

When I use Jones' (ibid) theory to make an analysis of my empirical material I draw the conclusion that it is relevant to say that personal proximity is a form of proximity which can influence the assessments from the advocates. According to Jones (ibid, p 377) can proximity be physical, social, psychological or cultural. My view is that in a relation of friendship interacts at least the first three of these variables.

Several of the respondents told how the undocumented migrants had become their friends.

"Now, I have a personal relationship to some families and then it becomes very personal. I see them as my friends. I see close if it is something that they do not have and what they need. How they fare badly in different ways. I like them, and I think that our society is so terribly unfair, or the system, or what to call it." (Advocate in secular organization no. 1)

Jones (ibid) writes that proximity is also important in the legal context and refers to Friedman (1976). In my material, I can see examples related to this, given the times when the advocates commit themselves legally to the undocumented migrant, either on their own or by trying to obtain a lawyer. In the example below, I emphasize how proximity also can be a way for the advocate to legitimize his/her actions as such. The knowledge that the advocate received from the close contact with the undocumented migrant gave legitimacy for the advocates' own actions.

"I know them and I know they are credible. Not once during these years I have experienced that they have lied or somehow tried to exploit the system." (Individual secular advocate, no. 4)

One of the advocates also talks about the difference to study "the case" at a distance and to meet a person face to face.

"It is just when you look someone in the eyes and are talking to someone; that is when you really know that what you do is right." (Advocate in secular organization no. 3)

The question is how the proximity affects the advocates' assessments of whom he/she will be committed to. The advocates meet many undocumented migrants face to face and yet they are probably not able to engage in all. The conclusion I draw is that the proximity aspect therefore needs to be regarded along with other factors that I cover in my analysis, e.g. which the possibility is to get a residence permit.

Jones (1991, p 377) does not explicitly talks about "religious proximity." My prior understanding tells me that often (but not always) is there a close link between cultural and religious proximity. None of the interviewed Christian advocates said that they made a difference in their assessments between Christian undocumented migrants and undocumented migrants of other religions.

The advocates from the free Christian congregation claimed that Christian undocumented migrants, thanks to the common faith, easier get into the social context in the congregation. When the undocumented migrant comes into the congregations' context, I understand that social proximity from the congregations' side against the person is increasing. According to Jones (ibid) it is more likely that help is offered if there is a social proximity. My interpretation is therefore that the Christian faith as the advocate and the undocumented migrant share could affect the advocates' assessments indirectly. Thus not due to the faith as such, but through the social proximity that the faith can lead to.

I explained in the theory chapter for my own further interpretation of what Jones (ibid, p 376) calls the temporal immediacy or as I have called it, *the aspect of time in the broad sense*. When I apply this aspect on the empirical material, together with the aspect of proximity I can see examples that says that the longer time the commitment to an undocumented migrant lasts, the more difficult it may be for the advocate to cancel it. One advocate who previously stated that a criterion for assessment is whether there can be any "opening in the case" also says:

"But on the other hand, it is also a bit arbitrary because right now we are in and help a family that has received its third rejection just now and that will return, so it varies also." (Advocate in secular organization no. 3)

I will not conclude that proximity and time are the only aspects which have influenced the decision to continue the engagement in this case because the context from which this statement is taken shows that there could also be other causes. When I use Jones' (ibid, pp. 376-377) theory in the analysis of my empirical material my conclusion is however that the combination proximity and time could affect. My view is that it may also be related to perspectives that other advocates mention in the form of a desire to complete a major commitment before the organization starts another (advocate in secular organization no. 1) and to make a commitment well (advocate in secular organization no. 2).

"It is better to be a good contact for one family or being a good support to the other contact persons than that you can't take anything at all." (ibid)

It should be observed that this last quote is taken from the organization that unlike the majority of the organizations/advocates do not take a position on the reason for the lack of residence permit in assessing which cases it will commit to. Besides economic opportunities the organization also need personal resources if they can get engaged in a case. If the undocumented migrant shall be able to get more extensive help it is also required an official contact person within the organization. The undocumented migrant can only get a contact person if someone within the organization "has the time and dedication at that moment." (ibid)

The aspect of time in the broad sense highlights that the issue of time becomes central to the organization's assessments. My view is that time is something relative, *one takes the time*.

What is it that determines whether or not someone within the organization takes this time? My understanding of the advocates' statement is that it is about the individuals' capacity at the moment. There is no chance to engage very much for all the undocumented migrants who contact the organization. The advocate limits the engagement as a survival strategy to cope with a high workload.

The Aspect of Proximity in Relation to the Organization

I will in this section look deeper on the issue of proximity in relation to the organization. When I use Jones' (ibid) theory in the analysis of my empirical material my conclusion is that the question about proximity in relation to the organization can been viewed from two perspectives. It is both about the identity and proximity within the organization and how the organization creates preconditions for proximity in the meeting between the advocate and the undocumented migrant.

Jones (1991, pp. 390-391) writes about the organization's impact on the moral intensity of the ethical decision-making.When I use Jones' (ibid) theory in the analysis of my empirical material I will use the free Christian congregation as one example.

The respondents from this church tell that the congregation took a strategic decision for some eight years ago that meant that commitment to the vulnerable in the resort was one of their priorities for a long time to come. In the group of "vulnerable" are the undocumented migrants included. This decision resulted in increased resources for the work both financially and personally, including the two respondents who are employed by the congregation. According to my understanding of the respondents' statements seems the work to be well established in the congregation both for the practical implementation and ideological.

"It is part of the Christian faith. And to care about the little ones. It is told many times in the Bible about caring and meeting the needs and Jesus shows that way. It is not only individuals who are engaged or passionate about the thing, no it is something everyone feel that we shall do." (Advocate no. 2 in the free Christian congregation)

When I use Jones' (ibid) theory in the analysis of my empirical material my conclusion is that the ideological anchor in the Christian faith is an implicit moral intent of the congregation. This is something that creates proximity and identity within the organization. This leads to moral behavior in form of practical acting when the congregation decides that they will support the undocumented migrants. This support can be regarded as an arena where the church creates opportunities for proximity between the congregation and the undocumented migrant.

Another of the organizations (secular organization no. 1) is quite new. This organization was formed when there was a need to coordinate efforts around a certain family. So far, the greatest focus is on one family. According to the respondent the ambition is that over time expand the work. Although the work so far is about to establish itself the advocate has not to work alone.

"We are a team. I think that is really important, that you are not alone; it would probably have been much more difficult." (Advocate in secular organization no. 1)

Although it is quite much that separate the free Christian congregation and this secular

organizations' organizational forms, I argue, when I use Jones' (ibid, pp. 390-391) theory in the analysis of my empirical material, that it is possible to make some comparisons. For the congregation it is the Christian faith that gives the moral implicit intention of the work and created identity and proximity inside the congregation. In the secular organization's case, I argue that it is possible to see the commitment to the specific family as something that gives a moral implicit intent and also creates proximity within the organization.

The free Christian congregation had thanks to good practical circumstances the opportunity to realize the moral intention in moral behavior. Although it is likely that the congregation has major economic framework for the work[43] I interpret the advocate from the secular organization that this organization has sufficient financial capacity to cope with their engagement. This is an explicit organizational factor that can make that the moral intent becomes translated into moral behavior and action. It is thanks to this explicit organizational factor that the organization gets possibilities to continue the support and the proximity to the family they are engaged for.

There are also examples from the empirical material where there is less proximity. Both regarding identity and proximity inside the organization and the preconditions to create arenas for proximity and help between the advocate and the undocumented migrants.

The advocate in parish no. 1 in the Church of Sweden has started the work for the undocumented migrants in the parish. The advocate describes the current situation:

"It is not stated in the instruction for the parish more than that we shall support and assist refugees, we have no further model or idea how to do, but it is I who has begun working with these issues. So I hope in the long run that it should not become dependent on who is doing it, but it should be part of the thinking in the parish. 'These are some of the ones we really invest in and support.'"

This deacon is trying to develop the identity and proximity within the parish in order to support the undocumented migrants. When I use Jones' (ibid, pp. 390-391) theory in the analysis of my empirical material, I see that the deacon tries to get the commitment to the undocumented migrants to integrate into the parish to such an extent that there in the future will be an implicit factor that will affect other people's moral intentions. In this way will the work not stand or fall with one person.

The deacon also states that there are plans to start a form of City Mission which e.g. could work more structured for the undocumented migrants. If this City Mission becomes reality, it could be seen as a concrete explicit organizational factor which could help people to translate their moral intentions into action. The work from the deacon can also be seen as a way to create structures for proximity between the parish and the undocumented migrants.

When I use Jones' (ibid, pp. 390-391) theory in the analysis of my empirical material I can also see how lack of proximity inside the organization can give bad consequences for the

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[43] This is only an assumption, which is found in chapter 1 it has not been my intention to study each organization's financial conditions for the work. I do the assumption based on the fact that the respondent no. 2 in the free Christian congregation tells that the church has a major financial commitment for ten undocumented migrants while this secular organization has a major commitment for one family.

advocates. I argue that this can in turn also give bad consequences for the undocumented migrants if the advocates become burned out when they lack support from proximity in the organization.

There seems not to be enough organizational preconditions in the congregation which is described in one of the articles. Unlike the deacon, who was the person who started the work in the parish, this pastor has inherited a commitment that individual church members have not been able to follow up. This excerpt from the article highlights this:

"- They do it out of compassion, but they know not what they are getting into. And many do not manage to complete the mission, which of course can last for an indefinite period of several years. At these occasions they contact the church employees for help, say the pastor, and say that at these occasions are there mostly not many other options than to take care of the refugees. - A stone has been set in motion which already has rolled so badly. So I felt that I had to take over and hide the families, even though I feel bad when I do it." (Individual advocate, Christian, no. 2)

Even if it later in the article is said that the pastor after all has some kind of support in the church it seems to be a great difference comparing with the advocates from the free Christian congregation which I interviewed. The difference is that the organizational framework for the free Christian congregation appears to be more stable than in the church that is described in the article. If I use Jones (ibid) terminology, I mean that there are greater opportunities to realize the moral intention in actually moral behavior in the free Christian congregation. There is also a risk that the lack of organizational framework in the church, which is described in the article, may lead to less proximity between the pastor and the undocumented migrants. If the pastor, due to the negative feelings for the work, becomes burned out, there seems not to be any structure so this gap can be filled.

The Aspect of Proximity in Relation to Society

The proximity can also be seen in relation to societal aspects. When I use the word proximity in relation to society I mean how the advocates and organizations have internalized norms from the society and how the norms in this way become close to the advocates and organizations (Baier and Svensson, 2009).

In my empirical material I have found two main areas which relate to this. One concern issues which in a broad sense affects migrants' integration into the Swedish society and one concerns the issue whether or not children should be given priority in the assessments of aid to the undocumented migrants. I will analyze the latter topic in this chapter. The former topic will to some extent be discussed in next chapter.

In five of the interviews it became clear that the organizations had an approach to give special attention to children's needs. However it did not always mean that families were prioritized before single persons.

One of the advocates stated that a basic principle for the commitment to the undocumented migrants as such was; "the Convention on the Rights of the Child, at least that the children will have a chance." (Advocate in parish no. 2 in the Church of Sweden) The following quote from the same respondent highlights that special attention is given to children's needs, even if it does not mean they always have priority over other groups.

"It is not very easy. I actually opted out a family in favor of a single fairly recent for example, or committed myself more to the single. But usually, when we do our work, which is so imperfect, it is often given to children as we try to support and help. Make sure they are able to go to school with clothes and with what are needed for them to cope with schooling, showering and all what it is. There we put some efforts that we may not really think about for single adults. Then it is a case by case basis." (ibid)

One of the respondents (no. 1) from the free Christian congregation stated that they are trying to make it easier for families with children in different ways due to children's vulnerable situation where children sometimes have to take a big responsibility for the family. The congregation may, for example, do nice things for the children when the children have school holidays.

The secular organization no. 2 has the policy that only financial opportunities and personal involvement inside the organization shall influence how much they can assist the undocumented migrants. According to the respondent, the organization makes no difference between families with children and others when they receive an initial request for help. My understanding of the following quotation is that the approach towards children yet is somewhat different.

"Then maybe we help people who have children in a different way. I think when there are children involved, it may be even more important with social stuff, to help people find a football club that they can join, and to help with such things. It is not quite as you do with adults in the same way. Try to see kids as kids." (Advocate in secular organization no. 2)

In my analysis of the organizations' approach to children, I argue that one of Jones (1991) dimensions of the intensity in the moral decision-making is central to my understanding. I refer to what Jones (ibid, p 375) writes about social consensus, that is, to what degree there is a social agreement that an action is good or evil. My prior understanding tells me that there is a very strong social consensus in the Swedish society of today that children's needs should be particularly considered when assessing situations of various kinds.

My view is that the strong social consensus/norm about children's need is internalized in the advocates and organizations and thanks to that have the norm become close/proxy to the advocates and organizations. Baier and Svensson (2009, p. 139) state that internalized norms are considered as right and there is no need to reflect about their effectiveness or validity. I argue that the advocates take the norms regarding children's need for granted.

Halldén (2003, p.12) writes that in the implementation work in Sweden to the Convention on the Rights of the Child has been established that in all administrative decisions that affect children must the child's best and the child's perspective be taken into account. My empirical material is not about official decisions but I understand that the child perspective nevertheless has an impact in the organizations working for the undocumented migrants. I also find it interesting to do a little comparison between the Swedish authorities in the form of how the social services is required to follow the child's perspective and how some of the respondents in my study apply to it.

The National Board of Health and Welfare (2013b, p. 24) writes about the handling of financial assistance in the social services, that the situation of children has to be highlighted

when an adult makes a request for assistance. Yet this does not mean that the application must be granted. The key is that the child needs to be "visible". A comparison with the organizations working for the undocumented migrants shows that some of the organizations mentioned above seem to have a similar principle. The situation of children is observed in a particular way, even if it does not always mean that families get priority over singles.

I argue that especially the approach from the secular organization no. 2 is interesting. My conclusion after the interview with the advocate from this organization was that the organization has a very ideological consistent approach. The organization has free immigration as goal and that also influences the practical work. Regarding the issue of children's needs a more pragmatic approach can be seen. If there is an undocumented child or adult will not have any importance for the assessments as such, *but*, special attention is given to children regarding social activities. It can be discussed whether or not the organization has internalized the social norms about the best interests of the child or if it is only a form of adaptation to the norms due to the strong social consensus in the society. Nevertheless the child's perspective can be said is taken into account.

6. Conclusions

I will in this chapter make conclusions on the basis of the total material. I will go back to the purpose of the study and the research questions and describe how I argue that the study has answered these questions. I will also present an initial draft to a theoretical figure of thought about how it is possible to understand the investigated phenomena.

6.1 The Findings Related to the Purpose of the Study

One conclusion I draw when I review the material in this study is that it is much more that unites than divides the advocates who are committed to the undocumented migrants. It is an axiom that all advocates have a common desire that the persons they are committed to must get the most favorable future as possible, and of course, any time a residence permit in Sweden. The study shows that the advocates otherwise have much in common.

The common features relate e.g. to the practical work. I wrote in the introduction that the advocates in the study somehow are providing help with housing, financial assistance and legal advice. What many also had in common was the breadth of the tasks. The same person could be busy with many different things. To demonstrate the diverse nature of the work in the entire empirical material, it can be said to extend from to get football shoes to a migrant child until, during the night, changing accommodation for a group of undocumented persons in order to avoid the risk of being deported.

When I compare the empirical material with the literature review it is striking how similar the advocates are. Even if the circumstances differ they seem to have much in common. Two things that are recurring are that they are persons with a commitment to vulnerable people and that they are modest about their own engagement.

The view from Sager (2011) is also interesting. Is she right when she claims that the help from family members and countrymen has another "status" in the debate than help from advocates with Swedish origin? Another question is if my study has contributed to that image since I have chosen not to study the commitment from the family members? Regardless the answer on that question I argue that there is a need for future research on that topic.

6.1.1 The Main Conclusion

The main conclusion of the study is the importance of *possibilities* and *proximity* in the work for the irregular migrants. It is both about the importance for each of the factors separate and their joint significance.

Possibilities are about which possibilities the advocates see in the work. It can be which possibilities there are to get residence permit if the advocate engage in the case and also which possibilities there are for the migrant to return to his country of origin. When the advocate assesses that there is a possibility to get residence permit in the same time as there are no possibilities to return is the chance high that he/she will start an engagement for an undocumented migrant.

Proximity is the other important factor and it can be seen from three different aspects. Proximity can be in relation to the individual, in relation to the organization and in relation to societal aspects. I will tell more about the roles of proximity and possibilities when I answer the research question number two in section 6.1.3. In my initial draft to a theoretical figure of thought in section 6.2 I will also show the factors joint significance.

6.1.2 The First Research Question

Regarding the first issue, *Which attitude to the law, and which approach to the law, do the advocates involved for the undocumented migrants have in their work?* I mean that the study has shown that the advocates represent two different attitudes to the law, and two different approaches to the law.

With attitude to the law, I mean the issue of free or regulated immigration and the question about the reasons for the advocates' engagement in the undocumented migrants. The latter topic regards if the advocates argue that the law is correct but the implementation incorrect or if it can be a combination of deficiencies in the law and in the implementation of the law.

When I summarize it leads to two different attitudes to the law. The first attitude is represented by a group of advocates where some believe the law is correct but the implementation wrong, while some argue that both the law as such and the implementation can be wrong. This is the largest group.

The second attitude is represented by a group consisting of two advocates who are proponents for free immigration and believes that today's current legislation with regulated immigration is wrong.

When I use Alexy (2005) to understand the question about the reason for the advocates commitment I see that it is possible to examine the question both from the positivist and from the non-positivist legal concepts. The advocates which argue that the law itself is wrong can be understood from the non-positivist legal concept and its requirement that the law must be morally substantively correct. The advocate which claim that the problem is the implementation of the law can be understood from the positivist legal concept. The question for them is to persuade the legal system what really is "the law" (ibid, p. 57). That is done without any moral statements.

Similarly, I argue that it is possible to understand the advocates of free immigration based on Alexy (2005). They believe that the current legal system is substantively morally wrong and want to see a different system. I asked, based on my understanding of Alexy (ibid), if those who do not want to see free immigration believe it would be morally wrong with such a system. I interpreted the answers from two of these advocates as they were afraid that a system of free immigration would lack social validity in the community and that they were afraid of the social consequences of such a system.

I argue that this is similar to Wild (2010) and her criticism of the New Sanctuary Movement which I described in the literature review. Wild argued that the movement lacked public and political support for their actions. Because the movement lacked such support they had to change their methods. When I use Alexy (2005) in order to understand this it can be seen as the movement lacked social validity.

I argue that the question of approach to the law can be divided into two areas. The first area concerns the approach the advocates have in general in their work for the undocumented migrants. Is their work based on assessments, which in a way can be said to resemble the system of the immigration authorities, or it is based on any other system? My conclusion is that all advocates except one in some way represent the idea of the need of assessments which to some extent are similar to the migration system. It is important to underline that this is about the system with the assessments, e.g. may the question about the potential consequences with a return to the country of origin for the undocumented migrant be posed. It is not about the content of the assessments. Many times have the advocates and the migration authorities' different opinions regarding the content of the assessments. If it not would have been like that there would have not been any need for the advocates to engage for the migrants.

For one of the organizations who believe that the system of regulated immigration is wrong, it leads to the consequence that the organization also regards it as wrong to judge the reason why an undocumented migrant is not allowed to stay in the country. The other organization that advocates free immigration has a more pragmatic approach to the issue. The organization does as a consequence of the pragmatic approach, assessments, e.g. if there may be a possibility to return.

The second area in terms of approach to the law is about the practical legal work in support of an undocumented migrant when an organization has decided to get engaged in the issue. I noted that it is possible to regard the refusal decisions the advocates are working to get changed, either from the approach that they are morally wrong or from the approach that they are legally incorrect. The former approach can be understood from the positivist legal concept and the latter from the non-positivist legal concept that Alexy (ibid) explains.

My conclusion was, based on what Bauhn (2012) writes of the influence of the positivist legal concept in the Swedish judicial system that advocates would have to advocate for their case based on the question of what really is "the law" and not based on what is morally right (Alexy , 2005).

6.1.3 The Second Research Question

I have already mentioned that I argue that the main conclusion of this study is the importance of proximity and possibilities for the assessments the advocates do. When I will answer the second research question, *What influences the potential assessments the advocates do in order to decide which undocumented migrants they will have the possibility to help?* I will return to this.

Regarding *possibilities* is this both about if the advocates assess that there can be possibilities for the undocumented migrants to obtain residence permit and if it is possible or not for the migrant to return to his country of origin. I wrote in the analysis that if the advocate assesses that there is a possibility to get residence permit in the

same time as there are no possibilities to return is the chance high that he/she will start an engagement for the undocumented migrant.

When I use Jones (1991) to understand my empirical material it can be said that the advocates sometimes have to priority cases where the consequences with high probability will be "very serious" before cases where the consequences will be negative but probably not so serious. Due to the high work load it is not possible to engage in the same way for all undocumented migrants.

One of the organizations in the empirical material (secular organization no. 2), do not search for possibilities to residence permit or regard if it is possible or not for the migrant to return when they decide which migrants they shall prioritize. I argue however that *possibilities* also are important for this organization. This due to the fact that the organization states that if they shall enter into an engagement for a migrant or not is related to if there are economical and personal possibilities in the organization at the moment.

The role of possibilities is in the literature review shown in the texts from Hebert and Jacobsson (1999) and Johansson (2012). The difference is while Hebert and Jacobsson (1999) stated that the advocates made assessments relating to the possibilities for the migrants to get residence permit, Johansson (2012) argued that it was irrelevant for the majority of the advocates in his study. I argue that it is possible that this view can be linked to the idea about no borders and free immigration which secular organization no. 2 is advocating. If the aim for the work is no borders can't the organization make any assessments about the reasons why a person lacks residence permit.

In the literature review the role of *proximity* is seen in the texts from Vestin (2006), Möller (1995), Hultman (1995) and Wrethov (2014).

How the proximity between the advocate and the migrant can influence the process is visible when Vestin (2006) refers to the deacon Jan Johansson who has used the term the "Stockholm syndrome". Johansson's interpretation of the term[44] is that the advocate gets so close to the migrant so he/she continues the work even if there are no realistic possibilities to obtain residence permit. I can't say that I have seen examples of this scenario in my empirical material. However it is interesting to study, what I have called, *the aspect of time in the broad sense* in relation to this. This is my development of one of Jones (1991, p. 376) six dimensions regarding moral intensity in the ethical decision making, i.e. *temporal immediacy*.

I have already stated that it seems like the time influences the advocates' commitment to an undocumented migrant in that sense that the longer time the more difficult to end the engagement. My reflection is whether the "Stockholm syndrome" can be seen as an extreme of this where the commitment has lasted too long time and where there are no possibilities for a solution?

Möller (1995) refers to the activist Per Herngren who questions the relationship between compassion and justice. I argue that proximity plays an important role in this reflection. If one advocate, thanks to the closeness to the person he/she has met, chose to work for this person, the advocate indirectly chose to not work for the persons to whom he/she is not close to and

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[44] As I have already stated has the term its origin in how a hostage can feel for his kidnapper.

has not met. In these cases creates the proximity a compassion which gives priority before what objectively may be more just, i.e. the persons the advocate is not close to and has not met.

I can see a parallel to Herngren (ibid) in one of the articles in the empirical material where one advocate reflects about the engagement for one single family in Sweden in relation to millions of people starving in Africa:

"And to invest so many resources in helping one single family, it might not be the best way. Not everyone can come to Sweden, what shall we do with all the millions suffering in Darfur, for example?" (Individual advocate no. 4, secular)

Despite these thoughts it is said in the article that the advocate's conclusion is that it would be right to do the same thing again, i.e. engage in one family. Is it the aspect of proximity which leads the advocate to draw this conclusion? The advocate has met the undocumented family in Sweden, but has not met the suffering people in Darfur. I argue that this is one example of how important proximity is in order to understand the advocate's assessments. I have to add that this advocate seems only to be engaged for one specific family, it is not said anything in the article that this person has needed to give lower priority to other undocumented families. I argue however that it can be seen as this advocate indirectly gives lower priority to another vulnerable group, the people in Darfur, and that it is the nearness to the family in Sweden which is the reason for that.

Both Hultman (1995) and Wrethov (2014) relate to proximity. The question is what the priest/priest candidate shall do when he meets an undocumented migrant in front of him. In the text from Hultman (1995) it seems to be clear that the priest would offer help. I interpret it as that will be done as a result of a combination of his faith and ethics and the closeness to the person in the situation.

It is harder to interpret the view of the priest candidate in the text from Wrethov (2014). It could be argued that he also is driven by his faith and ethics when he says that he hardly can see himself in a situation where he would close the door to the church for an undocumented migrant. On the other hand is he also active in a political party who wants to make it punishable to give humanitarian support to undocumented migrants (The Committee on Social Insurance, 2012/13). What is most important for him? I can't say what would happen for this priest candidate if he really came in that situation. Regarding the importance of proximity I can at least assume that the nearness to the migrant in the situation would give priority to his values based on his faith before his values based on his political opinion.

Proximity is one important factor which influences the assessments the advocates do. I have so far discussed the role of personal proximity. Besides personal proximity, proximity can also be related to the organization and the society. I have claimed that proximity in relation to the organization is both about the identity and proximity within the organization and how the organization creates preconditions for closeness in the meeting between the advocate and the undocumented migrant. I argue that it is likely that these factors work together.

I cited Cook (2011, pp. 571-572) in the literature review. Two leaders for faith based organizations claimed that the stable base for these kinds of organizations is an advantage for them in the work. When I use Jones (1991, pp. 390-391) in order to understand these statements, I regard the stable base in the organizations as organizational factors which can

help the moral intent to become moral behavior. Good preconditions for this could also be seen in some of the organizations in the empirical material. The organizational factors create an area which allows the undocumented migrant to come close to the advocate and receive help.

I am aware of that my expression "the proximity of society" can be hard to understand at a first glance. My view is that the advocates and organizations have internalized norms from the society and that the norms become near to the advocates and organizations (Baier and Svensson, 2009). In my analysis I showed this with examples from the Convention on the Rights of the Child. If I relate this aspect of proximity to my literature review is this issue found in several texts, but from another perspective.

The role of society is seen in the texts from Vestin (2002), Byberg (2003), Yukich (2013a) and Wild (2010). Vestin (2002) writes about the role of media and questions the current situation where the chances are higher that media will promote children before single men, even if they may have the same need of protection. Byberg (2003) refers to the founder of the refugee fund which is organized by the Liberal Youth of Sweden, Johan Chytraeus. Chytraues claims that the chances are higher that media will promote a migrant who is young and cute before a middle-aged war deserter.

Yukich (2013a) and Wild (2010) make similar reflections, but they do it from totally different perspectives. While Yukich (2013a) argues that the New Sanctuary Movements (NSM) construction of "model migrants" may put other migrants in a disadvantaged position, has Wild (2010) the view that the NSM should focus all their work on this model migrants and not even indirect plead for the rights for other groups.

In the four texts is the society present. It is about how society in the form of media are promoting only special undocumented migrants and it is about the construction of "model migrants" which is based on an idea that these migrants share values which are respected in the society.

The difference seems to be that while Vestin (2002), Byberg (2003) (through the statement from Chytraeus) and Yukich (2013 a) questions society's influence on the process for the migrants, Wild (2010) claims that the migrant movement instead should adapt even more to it in order to get more acceptance for the work.

The organizations have to relate to these societal norms. I argue that how the organizations relate to them can be influenced by the own strength in the organization. If the organization has a strong ideological base for the work it is possible to make a conscious choice. Shall these norms be internalised or not in the organisation? If the organization is weaker is it possible that the norms become internalised without reflection.

There may also be other factors, besides possibilities and proximity, which can influence the assessments which are done. The empirical material and literature from Connelly et al. (2004) showed e.g. the importance of emotions. Unfortunately I had not the chance to further analyse this why it is an area for future research.

6.1.4 The Comparison between Secular and Christian Advocates

I have so far answered my research questions and thus fulfilled the overall purpose of the thesis. The study had also the secondary objective to compare any differences in work between secular and Christian organizations and individual advocates.

My overall observation of the empirical material is that the differences are small, both in terms of attitude and approach to the law as well as what affects the assessments of which undocumented migrants who should be prioritized.

A difference can be seen in the issue of free immigration. While the two of twelve "empirical units" in the material who advocated free immigration both were representatives of secular organizations saw several of the Christian respondents no borders as a dream scenario which is impossible in the current situation. It would be interesting to follow up this issue in another study and especially relate it to what Alexy (2005) writes about social validity.

Another difference between the different groups can to some extent also be seen regarding organizational structure. Five of the six Christian advocates in the study were employed while probably[45] all of the secular advocates were volunteers. It would be interesting to look deeper at this issue in another study. What does an employment respectively a voluntary commitment mean for the aspects of possibilities and proximity?

6.2 A model to understand the Advocate's Engagement in the Undocumented Migrants

One result from this study is that I in the following section will present an initial draft to a model of thought to understand the advocate's engagement in the undocumented migrants. I have built the model from parts of the literature review, the theories from Jones (1991) and Alexy (2005) and the empirical material. In addition literature from Baier and Svensson (2009) about norms and internalization and literature from Connelly et al. (2004) about the role of emotions for the ethical decision making will be mentioned.

The model is divided in two parts. The first part shows what can lead to a "good" solution for the undocumented migrant, i.e. that the advocate will start an engagement for the migrant. The second part shows the opposite, i.e. that the advocate will not initiate a commitment to the migrant. Focus in the model is the factors of proximity and possibilities.

I would like to underline that this is only an initial draft to a model of thought to understand the phenomena. My wish is that it will contribute to some understanding of the issue and that other researchers will continue the work in order to get further clarifications.

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[45] As have been stated in chapter five was it not possible to get full information about this from the articles in the study.
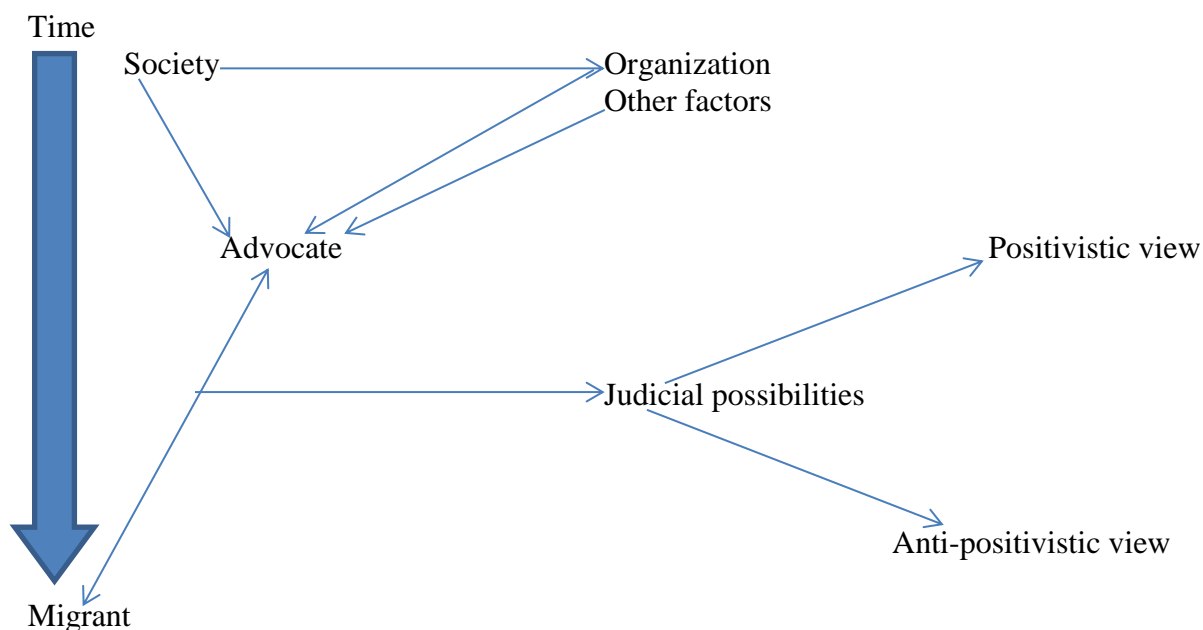
Figure 1: Model showing what leads to the advocates' engagement in the undocumented migrants with focus on the aspects of possibilities and proximity.

The society influences the organization through norms (see Baier and Svensson, 2009, about the role of norms in the society). I have called this *the proximity of society* where proximity is taken from what Jones (1991) writes about proximity as one of the dimensions for the moral intensity that can influence the ethical decision making. The more strength that exists within the organization, the greater is the possibility to consciously relate to society's proximity and how much of it the organization chooses to internalize in the organization (see Baier and Svensson, 2009, regarding internalization).

If the organization is functioning it creates conditions for personal closeness (implicitly in the form of identity/shared values and explicitly in terms of financial, personal/practical possibilities) between the advocate and the migrant. In this is the organization affected more or less of the proximity of society.

The nearness of society affects the individual advocate both through direct internalization and through the organization's internalization. If the advocate experiences the social and organizational influence/closeness as something positive it is possible for the advocate to create a personal closeness/relationship to the undocumented migrant. But in addition, other factors may influence whether or not there is a possibility for the advocate to start a personal closeness/relationship to the migrant. It might for example be emotions that are not directly related to either the society or the organization's impact/proximity (see Connelly et al., 2004).

If all factors; the proximity of society and the organization as well as other factors, affect the advocate positively there is a possibility for the advocate to enter into a personal closeness/relationship to the migrant. This proximity allows the advocate to see that the migrant may have legal possibilities to get residence permit.

In addition, the factor of time (arrow at left) plays an important role. This is taken from what I have called *the aspect of time in the broad sense* which is my development of one of Jones (1991) six dimensions regarding moral intensity in the ethical decision making, i.e. *temporal immediacy*. From the empirical material I have understood that the more time that passes, the stronger the closeness will be at all levels and the greater becomes the advocate's efforts to look for possibilities that can lead to residence permit. There may be a risk that the organization's/advocates' commitment subside after a long time when it is seen that the commitment has not given any viable solution. How long it can take from the time factor goes from being a positive to a negative factor for the engagement varies from case to case.

If there are very serious/urgent situations, neither the factor of time nor the factor of proximity gets the same importance for the advocate. At these occasions the advocate understands directly that there may not be a possibility to return (see Jones, 1991, dimensions regarding magnitude of consequences and probability of effect) and therefore needs to quickly go into a commitment.

It is likely that the strongest influence would be when it is a case where there is a close relation to a person who has persisted for a longer period, but where circumstances change and the person suddenly gets into a situation of emergency. For example it can be about an organization that have had contact with an asylum seeker for a long time and suddenly gets this person a final negative decision on his application. In addition makes the advocate the assessment that there would be serious consequences if the migrant returned. In such a case the factors of proximity and time interact with the magnitude of consequences/probability of effect (Jones, 1991). The result will be that the advocate starts an immediate commitment to protect the person.

On the far right in the figure I show what can influence the advocate once he/she has entered into a commitment and started to advocate for the migrant in the legal process. Which the result of this advocacy will be depends on whether the legal system can be regarded as positivistic or non-positivistic. If it is positivistic the advocate has to justify the reasoning with legal argument about what the law really states. If the legal system is non-positivistic the advocate may also support the case with moral arguments (Alexy, 2005).
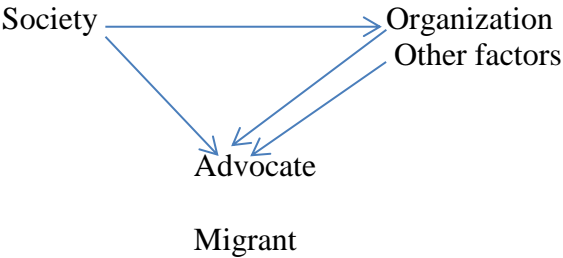

Figure 2: Model showing what influences when the advocates not start an engagement in the undocumented migrants with focus on the aspects of possibilities and proximity.

There are several different variables that can cause a negative outcome for the undocumented migrant regarding the organization's/advocate's possibility to start an engagement in him. One example is in the case of a non-well-functioning organization. The organization is weak and does not have the same awareness of how to respond to society's impact of proximity.

For example there can be a view in the society that the migrants who share the same values as the natives are regarded in a more positive manner than other migrants. See e.g. what Yukich (2013a) writes about how the New Sanctuary Movement creates "model migrants" who share the same values as the natives. If the organization internalizes this view it affects the values in the organization. These values can in turn influence the organization's practical work so it states that financial support should only be given to model migrants. The advocate in such an organization is expected to share this view. If the advocate does not share the view, it might influence the way he/she relates when the model migrant is seeking for help. The relation of closeness that is a prerequisite for the advocate to look for opportunities to residence permit will not be created. In this way, the migrant get not the support as the organization had intended when they decided to give priority to model migrants.

6.3 Final Words

I have shown that the factors of proximity and possibilities are important in order to understand the assessments made by the advocates. Many of the advocates in the empirical material have stated that they sometimes feel very powerless in the demanding work. I argue that it is not strange when the advocate might face a situation where he/she must decide whether to prioritize a situation where there could be negative consequences, if a migrant return to the country of origin, or another situation where there would be serious negative consequences if the migrant goes back (Jones, 1991).

Sometimes, however, leads the efforts to a successful outcome in the form of a residence permit for the migrant. I would therefore, as a contrast to the heavier parts of the work that I have highlighted so far, close by quoting one advocate who describes a family who finally got a residence permit. I argue that this also is an example of how a close relation between the advocate and the migrant leads to a searching for possibilities to residence permit which at the end gives a positive outcome.

"It was a family that had got a negative decision in the third instance, and who lived in clandestine for a total of three and a half years before they got residence permit. The father is chronically ill and needed medical care that did not exist in their home country. [---] They would send him back to death. It felt like there was no choice but to help them. I have followed that family. The first year that I knew them they lived in clandestine, they had a really tough time. They really felt so bad.

Having seen them now when they have had a residence permit in almost exactly two years, the parents have started studying Swedish for immigrants, and learning Swedish and integrate into the society, and see how it has influenced the youths who don't need to be afraid of being found. They can tell who they are and they can have their real names. The oldest girl has started to study at the university. It is so awesome to see how it changes people that they have got the right to exist." (Individual advocate no. 1, Christian)

7. Bibliography

This bibliography is divided into two parts. The first contains all literature besides the articles which I have analysed in the article study. The second part contains the articles analysed in the article study.

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Intervjuguide – sekulära organisationer

Del 1 (frågorna 1-5): Bakgrundsfrågor

1. Allmänna bakgrundsfrågor om t.ex. ålder, utbildning och ev. civilt yrke.

2. Kan du berätta hur det kom sig att du började engagera dig för de papperslösas situation?

3. Kan du berätta vad det är som driver dig i ditt engagemang för de papperslösa?

4. Kan du kortfattat ge en allmän beskrivning av hur er organisation arbetar för de papperslösa?

5. Vilka är dina huvudsakliga arbetsuppgifter i organisationen?

Del 2 (frågorna 6-12): Mer specifika frågor

6. Vissa som är engagerade för de papperslösa menar att invandringen borde vara helt fri. Vad tänker du kring fri invandring?

7. Vad tänker du kring skälen till att en person saknar tillstånd för att vistas i landet i relation till ditt engagemang för denne? Det vill säga har det någon betydelse för ditt engagemang om personen sökt tillstånd och fått avslag, eller om personen inte sökt tillstånd, eller om personen haft ett tillstånd som löpt ut?

8. Sveriges migrationspolitik har beslutats i demokratisk ordning. Hur tänker du omkring ditt engagemang för de papperslösa i förhållande till det?

9. Vissa organisationer som arbetar för papperslösa menar att det är rätt att frita personer som ska avvisas från Migrationsverkets förvar och/eller att aktivt försöka stoppa polisen från att verkställa avvisningar. Vad tänker du kring sådana aktioner?

10. I Sverige är det inte straffbart att bistå papperslösa så länge det görs utan vinstintresse. Skulle det ha någon betydelse för ditt engagemang ifall det vore straffbart?

11. Om din organisation inte enbart arbetar med papperslösa utan även med asylsökande som hotas av beslut om avvisning undrar jag vad du tänker kring att kontakta nyhetsmedia för att försöka påverka utgången i ett enskilt ärende som berör en person som hotas av avvisning?

12. Jag undrar också vad du tänker om att kontakta nyhetsmedia för att försöka bilda opinion för de papperslösas situation i allmänhet?

Del 3 (fråga 13): Beskrivning av en konkret situation.

13. Kan du beskriva en konkret situation där en papperslös sökt din hjälp?

Del 4 (frågorna 14-15): Avslutning

Om vi avslutningsvis blickar framåt skulle jag vilja ställa två frågor.

14. Först skulle jag vilja att du berättar hur den svenska migrationspolitiken skulle se ut om du fick den politiska makten att påverka detta.

15. Jag skulle också vilja veta hur politiken för de papperslösas sociala rättigheter skulle se ut om du fick den politiska makten att påverka den.

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⁴⁶ Some minor editorial changes have been made in some of the following appendices.

Intervjuguide – kristna organisationer

Del 1 (frågorna 1-5): Bakgrundsfrågor
1. Allmänna bakgrundsfrågor om t.ex. ålder, utbildning och ev. civilt yrke.
2. Kan du berätta hur det kom sig att du började engagera dig för de papperslösas situation?
3. Kan du berätta vad det är som driver dig i ditt engagemang för de papperslösa?
4. Kan du kortfattat ge en allmän beskrivning av hur er församling arbetar för de papperslösa?
5. Vilka är dina huvudsakliga arbetsuppgifter för de papperslösa i församlingen?

Del 2 (frågorna 6-12): Mer specifika frågor
6. Vissa som är engagerade för de papperslösa menar att invandringen borde vara helt fri. Vad tänker du kring fri invandring?
7. Vad tänker du kring skälen till att en person saknar tillstånd för att vistas i landet i relation till ditt engagemang för denne? Det vill säga har det någon betydelse för ditt engagemang om personen sökt tillstånd och fått avslag, eller om personen inte sökt tillstånd, eller om personen haft ett tillstånd som löpt ut?
8. I Bibeln står det mycket om de troendes ansvar att bistå invandraren eller främlingen. Samtidigt står det att de troende ska underordna sig varje myndighet. Har du reflekterat över detta i ditt engagemang för de papperslösa? (Matt 25:31-35, 1 Pet 2:13)
9. Bibeln säger också att de kristna ska göra gott mot alla människor, men framför allt mot de som delar den kristna tron. Hur relaterar du till detta om du möter papperslösa med olika religiös bakgrund, t.ex. en kristen och en muslim? (Gal 6:10)
10. I Sverige är det inte straffbart att bistå papperslösa så länge det görs utan vinstintresse. Skulle det ha någon betydelse för ditt engagemang ifall det vore straffbart?
11. Om din organisation inte enbart arbetar med papperslösa utan även med asylsökande som hotas av beslut om avvisning undrar jag vad du tänker kring att kontakta nyhetsmedia för att försöka påverka utgången i ett enskilt ärende som berör en person som hotas av avvisning?
12. Jag undrar också vad du tänker om att kontakta nyhetsmedia för att försöka bilda opinion för de papperslösas situation i allmänhet?

Del 3 (fråga 13): Beskrivning av en konkret situation
13. Kan du beskriva en konkret situation där en papperslös sökt din hjälp?

Del 4 (frågorna 14-15): Avslutning
Om vi avslutningsvis blickar framåt skulle jag vilja ställa två frågor.
14. Först skulle jag vilja att du berättar hur den svenska migrationspolitiken skulle se ut om du fick den politiska makten att påverka detta.
15. Jag skulle också vilja veta hur politiken för de papperslösas sociala rättigheter skulle se ut om du fick den politiska makten att påverka den.

APPENDIX C – INFORMATION LETTER BEFORE THE INTERVIEWS

Hej!

Utifrån vårt tidigare telefonsamtal kommer här lite mer information om den uppsats som jag skall skriva.

Jag studerar fjärde och sista terminen vid "Master's Programme in Social Work and Human Rights" vid Göteborgs Universitet. Jag har planerat att skriva min uppsats om de som är engagerade för de papperslösas rättigheter. Med papperslösa avser jag personer som vistas i landet utan nödvändiga tillstånd, både de som fått avslag på ansökan om uppehållstillstånd och de som aldrig har ansökt om sådant tillstånd.

Jag beräknar att intervjun kommer att vara cirka en timma och om du i samband med intervjutillfället godkänner det kommer intervjun att spelas in. Uppgifterna som inhämtas kommer att behandlas konfidentiellt. Du har också givetvis rätt att inte svara på någon eller några frågor samt att välja att inte fortsätta med intervjun utan att lämna någon förklaring till det.

I samband med intervjun kommer du att få ytterligare information. Om du dessförinnan har några frågor är du välkommen att kontakta mig.

Stort tack för din medverkan!

Med vänlig hälsning

Anders Jakobsson

E-post: vinterhavet@hotmaiI.com

Tfn: 070-540 57 22

Min handledare som du gärna får höra av dig till

Pål Silow Wiig

E-post: pal.wiig@socwork.gu.se

Tfn: 031-786 57 82

APPENDIX D – INFORMED CONSENT

Informerat samtycke

Inledning

Detta är en presentation av hur jag kommer att använda den data som samlas in under intervjun samt viss annan information om intervjun och uppsatsen. Uppsatsen är en del av utbildningen " Master's Programme in Social Work and Human Rights" vid Göteborgs universitet.

Information

För att försäkra dig som ska intervjuas om att uppsatsen lever upp till etiska krav för god forskning kommer jag följa dessa principer:

- Du kommer att få information om syftet för uppsatsen.
- Du har rätt att bestämma om du vill delta i uppsatsen, även efter det att intervjun har avslutats.
- Den data som samlas in kommer att behandlas konfidentiellt och ingen icke auktoriserad person kommer att ha tillgång till materialet.

Du har rätt att vägra svara på en eller flera frågor och/eller att avsluta intervjun utan att ge någon förklaring till det. Om du godkänner kommer intervjun att spelas in eftersom det gör det enklare för mig att dokumentera vad som sagts under intervjun och underlättar även det fortsatta arbetet med uppsatsen.

Ditt namn kommer inte att publiceras i den färdiga uppsatsen och av konfidentiella skäl kan eventuellt också vissa andra uppgifter komma att ändras. Den data som samlas in kommer endast att användas i denna uppsats. När uppsatsarbetet är helt avslutat kommer insamlad data att förstöras.

Du har möjlighet att ställa frågor till mig nu och/eller senare till mig eller min handledare. Du finner kontaktuppgifter nedan.

Underskrift av student

Datum: …………………………

……………………………………..
Anders Jakobsson
E-post: vinterhavet@hotmail.com
Tfn: 070-540 57 22

Underskrift av intervjuperson
Jag har läst ovanstående information och har haft möjlighet att ställa frågor om innehållet.
Jag lämnar härmed mitt frivilliga samtycke till att delta i denna studie. Jag har möjlighet att när som helst ta tillbaka detta samtycke.

Datum: ………………………………………………………………………………………

Underskrift: ……………………………………………………………………………….

Namnförtydligande: …………………………………………………………………………

Kontaktuppgifter till handledare
För eventuella frågor har min handledare Pål Silow Wiig följande kontaktuppgifter:
E-post: pal.wiig@socwork.gu.se
Tfn: 070-456 54 79

APPENDIX E – INFORMATION LETTER LATE IN THE PROCESS

<div align="right">2014-05-12</div>

Hej,

Jag håller nu på att avsluta mitt uppsatsarbete inom ramen för det internationella mastersprogrammet i socialt arbete och mänskliga rättigheter vid Göteborgs universitet.

Jag skriver till dig för att tacka dig för din medverkan, informera dig om uppsatsens uppläggning samt ge dig vissa preliminära uppgifter om studiens resultat.

Jag är mycket tacksam för att du tog dig tid att ställa upp för en intervju. Tack vare dina och övriga medverkandes svar har jag fått en mycket rik och nyanserad bild av de som är engagerade för de papperslösas rättigheter.

Uppsatsen bygger på sju intervjuer samt en granskning av fyra artiklar i svenska tidningar om personer som är aktiva i dessa frågor. I samband med uppsatsen gav du mig tillåtelse att i uppsatsen publicera namnet på den organisation där du är verksam. Jag har emellertid kommit fram till att uppsatsens slutsatser får ett större allmänt värde om jag inte återger namnen på någon av de organisationer som ingår i studien. Jag kommer därför inte att publicera namnen.

Syftet med uppsatsen var, som jag informerat om tidigare, att få en djupare förståelse av det arbete för papperslösa migranter som utförs i Sverige i olika sammanhang. Särskilt fokus låg på de eventuella bedömningar och prioriteringar som gjordes i arbetet. Ett annat fokus var att förstå hur de som är engagerade i frågorna relaterar till lagen i sitt arbete.

Resultatet för studien var bl.a. att deltagarna i studien hade olika syn på lagen utifrån om de förespråkade fri invandring eller inte. T.ex. var vissa tydliga förespråkare för fri invandring medan andra såg det som önskvärt men som i dagsläget inte praktiskt genomförbart.

Beträffande eventuella bedömningar och prioriteringar var min slutsats att det som oftast påverkade dessa var om det bedömdes att det inte skulle finnas möjlighet för den papperslöse att återvända till sitt hemland samt om det bedömdes att ett engagemang skulle kunna leda till att uppehållstillstånd skulle kunna beviljas. Min slutsats var att det också fanns ett flertal antal andra faktorer som skulle kunna påverka bedömningarna men som inte var lika tydliga. Detta gällde bl.a. frågan om engagemanget gällde en barnfamilj eller en ensamstående person.

Jag hade också som syfte att jämföra sekulära och kristna organisationer och enskilda som är engagerade i frågorna. Där visade studien att det var små skillnader både i synsätt på lagen och beträffande eventuella bedömningar.

När uppsatsarbetet är helt avslutat kommer jag att skicka ett exemplar av det till dig via epost. Min förhoppning är att du kommer att få del av det i mitten av juni månad.

Med vänlig hälsning

Anders Jakobsson