



GÖTEBORGS UNIVERSITET  
FÖRVALTNINGSHÖGSKOLAN

## Desirable Victims

Systems of Refugee Selection in Swedish and Canadian Migration Governing

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Akademisk avhandling för filosofie doktorsexamen i offentlig förvaltning vid  
Förvaltningshögskolan, Göteborgs universitet

Doctoral dissertation to be presented at the  
School of Public Administration, University of Gothenburg

Avhandlingen kommer, med tillstånd från Samhällsvetenskapliga fakulteten, att offentligt  
försvaras fredagen den 9 februari 2024 kl. 13.15 i hörsal Dragonen, Campus Haga,  
Sprängkullsgatan 19, Göteborg

ISBN: 978-91-987773-2-1 (tryckt version)

ISBN: 978-91-987773-3-8 (elektronisk version)

Tillgänglig via: <http://hdl.handle.net/2077/79259>

**Andreas Asplén Lundstedt. Desirable Victims: Systems of Refugee Selection in Swedish and Canadian Migration Governing. English text, Swedish summary. Doctoral dissertation. School of Public Administration, University of Gothenburg, Box 712, S-40530 Göteborg, Sweden. Printed by Stema Specialtryck 2024. 309 pages. ISBN: 978-91-987773-2-1 (printed version) ISBN: 978-91-987773-3-8 (online version). Available at: <http://hdl.handle.net/2077/79259>**

**Keywords:** migration, refugees, classification, categorization, historical institutionalism, judicialization, administrative courts, target populations, people processing, state capacity

## **Abstract**

This thesis explores how states try to govern refugee migration by classifying and ordering its subjects. It argues that a unifying construct of state migration control is selection: to maintain a system that offers protection to wanted people and keeps out unwanted people. This in turn requires an administrative machinery which efficiently renders people as cases. While the Refugee Convention provides a baseline definition of what a refugee is, there is widespread variation in its application across countries. In recent years, there has been a growing interest in classification in migration studies, but the dominant theories on migration control tend to assume that "refugee" is a neutral construct. This study challenges that assumption by seeing refugeehood as a status which comes about through its regulation. Its aim is to contribute to theoretical development on how states make refugees governable through classification and contribute to a better understanding of how people processing differ across countries.

This is conducted through a comparative case study of Sweden and Canada. The thesis builds a framework from historical institutionalist theory and writings on government classification to study classification systems as institutions. The data consists of documentary and archival material left by policymakers, officials, and administrative courts. The study is divided into two parts. Part I, set in the mid-1960's to the early 1990's, details the historical origins and institutionalization of a new type of migration governing, which centered on the idea of actively molding migration through making its subjects administratively legible. Part II studies the judicialization of migration control by unpacking the contemporary application of these control systems in administrative courts. This part questions the widely held hypothesis that courts protect migrant rights. Here, it is compared how Canadian and Swedish courts assess individuals from Afghanistan during the 2000's, where issues such as age and nationality are made governable through law.

The study makes contributions to both migration studies and public administration and policy. The results show how similar regulatory frameworks for processing refugees in Sweden and Canada were animated by enduring differences in immigration tradition, welfare models and administrative-legal traditions. This in turn gave rise to different moral vocabularies of what deserving refugee is. The result also show how enduring legal traditions lead to judicialization having different implications in different contexts. The conclusions point to how the sorting of people for purposes of governing over them has increasingly moved from a means to an end in itself. This implies a shift from an ideal of control as the flexible choosing of deserving victims, to one of control as the precise sorting of people into rigid legal frameworks. The concluding discussion outlines future avenues of research into comparative people processing.