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## **Redefining rights through local practices**

*The example of social support to undocumented migrants*

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**Redefining rights through  
local practices: the example  
of social support to  
undocumented migrants**

**Vanna Nordling**

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## **Foreword**

During the spring of 2012 Vanna Nordling, PhD student in Social Work from Lund University, visited FREIA for a period of three months. She participated in several seminars and workshops at both FREIA and COMID and presented on these occasions her work in progress on the urgent subject of social support to undocumented migrants. We are pleased to present this working paper, which amongst others is the result of her stay with us.

Aalborg, September 2012

Pauline Stoltz

Editor, FREIA Working Paper Series

# Redefining rights through local practices: the example of social support to undocumented migrants

## Introduction

To most immigrants and refugees in the Scandinavian countries, the welfare state institutions are central; many newcomers learn about society through healthcare clinics or social service centres (Olwig 2011). The social support to undocumented migrants<sup>1</sup> is however mostly provided by the civil society (own networks or voluntary organizations<sup>2</sup>). In this text, I am interested in welfare workers encounters with undocumented migrants in Scania, Sweden. My main focus is on social workers. In the encounters with undocumented migrants, social workers are sometimes acting in a grey zone; laws and policies are not clear and practices differ locally (Socialstyrelsen 2010). Social workers therefore have possibilities to act on own initiatives, broadening or narrowing down the inclusion of undocumented migrants in relation to the welfare state (compare Sager 2011, Cuarda and Staaf forthcoming).

Focusing at social workers who actively choose to support undocumented migrants, I want to study if they disrupt formal citizenship relations within the welfare state. I am also interested in the possible creation of new spaces of inclusion, giving undocumented migrants access to social rights at the local level. The social workers who meet undocumented migrants do not have the possibility to entirely include undocumented migrants in the welfare state. When choosing to support undocumented migrants they might therefore sometimes be acting as fellow citizens rather than welfare state representatives. The meeting can be expected to be loaded with intentions and ideologies not always coinciding with professional or organizational aims. I am therefore interested in social work as a possible practice of inclusion, moving between the welfare state and the civil society.

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1 In this text, I use the concept “undocumented migrant” (papperslös), which is most commonly used in the Swedish debate (see Holgersson 2011). There are however debates on what concepts to use, see Holgersson 2011, Sager 2011, Thomsen 2010, Khosravi 2006.

2 For example religious organizations, asylum rights organizations and large NGO’s. In a debate article, Lars Fagerström, head of the Swedish umbrella organization for asylum rights groups call these organizations “the social services of undocumented migrants” (SVT debatt 2012).

The example of social work with undocumented migrants also brings forward a wide range of questions related to solidarity, community and the borders of the welfare state. Migration control is not only happening at the nation states' physical borders but is also present in social policy, in the control of who is entitled to welfare services (compare Leerkes et al 2011, Thomsen et al 2010). Social workers could therefore be seen as dealing with the everyday level of these borders. The practice of social workers taking a transformative position rather than preserving social order (Baldwin and Lymbery 2011) might in this case be understood in terms of negotiating borders and boundaries. Social workers sometimes do things that disrupt the understanding of citizenship and that give undocumented migrants access to rights otherwise entitled only to citizens. I am interested in these moments, possibly affecting the borders within the welfare states.

In a pilot study, conducted in spring 2011, I chose to focus on professionals who in different ways supported undocumented migrants. As the material consists of other groups than social workers, I here talk about *welfare work*. However, in this text I will mainly focus on the interview with the social worker and use the other interviews as contrasts or additional examples. A social worker, a doctor, a nurse, a teacher trainee and a priest participated in the study and all of them had contacts with undocumented migrants in Scania. The participants had quite different starting points in these contacts. As the local regulations concerning health care give undocumented migrants the right to access subsidized urgent health care and "health care that cannot wait", the doctor and the nurse could often support undocumented migrants – however with different range of discretion, depending on hospital hierarchies. The social worker was working at a home for unaccompanied children and had few possibilities to support undocumented migrants within her present work situation. The teacher trainee was teaching Swedish to adult immigrants at a school that could not afford to receive undocumented migrants, but was supporting undocumented migrants outside of work. The priest had worked with refugees during the last 20 years and said openly that he sometimes did let undocumented migrants hide in the church. It should be noticed that the priest had a quite different position compared to the other participants, as he was not working at a welfare state institution.

A couple of themes were central in the interviews: the balance between being a professional and a fellow citizen, the limits drawn between providing support and the informants' private life and the arguments used in order to include or sometimes exclude undocumented migrants. In the interviews, it was evident that profession and organization to a large extent affected the possibilities of the participants. The institutional context and the relation to colleagues are important factors for the possibilities to act according to own judgments.

However, these aspects will not be central in the analysis below. In this text, I am interested in acts of citizenship; possible disruptions in the meeting between the welfare workers and undocumented migrants. At this stage I am rather using theory as a way of thinking about the interviews than developing theoretical concepts.

### **Today's social support to undocumented migrants in Sweden**

In comparison with many European countries, the group of undocumented migrants in Sweden is small (Düvell 2010). The Swedish National Board of Health and Welfare estimates that there are 10.000-50.000 undocumented migrants in Sweden (Socialstyrelsen 2010). Undocumented migrants come to Sweden in different manners and with different reasons; the largest group is former asylum seekers but there are also other groups, such as labour migrants. Migration background and other demographic characteristics, such as gender and age, might affect the possibilities to make a living; it may also affect the citizens' perceptions of who is worthy public support (compare Sager 2011). Whatever background the migrants have, there are certain needs that most of them have in common.<sup>3</sup> They are often in a situation of rightlessness, as rights are tied to citizenship or permanent residence (Sager 2011, Khosravi 2006, Schierup et. al. 2006). A comparatively large part can be expected to live in the bigger cities where they have access to migrant networks and might have opportunities to find a job. The city as a unit is therefore often important when studying negotiations of citizenship (Holgersson 2011, Sassen 2003). Scania is an interesting example to study, as the share of migrants in the city is rather high and as there are local initiatives providing undocumented migrants with support, both at a municipal level and within the civil society.

*Hidden refugees*<sup>4</sup> were given broad attention in Sweden during a campaign for amnesty in 2005 (Düvell 2010, Sager 2011, Holgersson 2011).<sup>5</sup> An alliance of

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3 In a *Book of Solidarity*, the Platform for International Cooperation on Undocumented Migrants maps rights of undocumented migrants in different European countries (PICUM 2003). The areas being mapped are access to food, health care, housing, work, education and legal advice.

4 After 2005 the word *papperslös (undocumented)* has dominated the Swedish debate, a concept that also includes undocumented migrants who are not former asylum seekers (Holgersson 2011).

5 The campaign for amnesty in 2005 succeeded only partly; the conservative party, Moderaterna, and the Social Democrats voted against a general amnesty proposed by all other parties in the parliament (Holgersson 2011). However, most families with children were granted asylum, after negotiations between the Social Democrats, the Left Party and the Green Party (Sager 2011, Svenska Dagbladet 2007).

asylum rights activists, migrants, political parties and religious groups lobbied for a general amnesty during the transition period to a new Aliens Act in 2006 (Sager 2011). However, the phenomenon has been observed for a longer period by migrant networks, activists and employees within the Swedish welfare state. Various voluntary initiatives, such as health care clinics, legal aid groups and asylum groups (or individuals) hiding refugees, have existed since the end of the 80's or the early 90's (see e.g. Läkare utan gränser 2011, Deltastiftelsen 2011, FARR 2011, Rådgivningsbyrån 2011, Asylgruppen i Malmö 2011). Therefore, undocumented migrants are in many ways invisible, but at the same time present in schools, at health clinics and within the civil society (Holgerson 2011, Sager 2011). In 2005, after the amnesty campaign, a group of self-organized undocumented migrants started to gather in the network *Papperslösa Stockholm* (Fria Tidningen 2008) and the small syndicalist union SAC started to organize undocumented workers in 2007, also in Stockholm (SAC 2012).

Even though it is legal to give support to undocumented migrants, the organizations doing so are often working outside of the direct interests of the welfare state. There are few regulations in Sweden giving undocumented migrants access to welfare. In a study comparing healthcare policies in European countries, Carin Cuadra (2011) divides the countries into three clusters according to their health care policies towards undocumented migrants. In this study Sweden is placed in cluster number 3 with the least rights to health care, as undocumented migrants have to pay full prize and can only access urgent treatments. This situation might however change; a new Swedish governmental report proposes that undocumented migrants should have access to subsidized health care (SOU 2011:48). However, while planning to implement schooling for undocumented children as suggested in another report (SOU 2010:5), the Swedish government is today hesitating if they should implement subsidized health care. The migration minister has expressed a wish to investigate the matter further, something that has led to many debates (see Rätt till vård-initiativet 2012, Dagens Nyheter 2011). At the regional and local levels, the situation is somewhat different. 13 out of 21 Swedish county councils extend the present right to urgent care to include "care that cannot wait". Some county councils, among them Skåne, also give subsidized health care to undocumented migrants (Cuadra 2010, Sandberg & Fryknäs 2010). Forerunning the decision on schooling, some local schools are also receiving undocumented children. For example the local authorities in Rosengård, Malmö, have had a poster campaign informing undocumented migrants that their children have a right to schooling (Sveriges Radio 2011).

While health care personnel have been a visible group in the Swedish debate on undocumented migrants, the public debate concerning social work and

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undocumented migrants is rather new (see Upprop.nu 2011, Hela Gotland 2011). It has however been noticed that social workers are experiencing difficulties to understand laws and directives. The report *Social Rapport 2010* (Socialstyrelsen 2010) states that policies and practices differ regionally when it comes to social work with undocumented migrants. For example it is possible to interpret the law in favour of giving economical support to undocumented migrants (*vistelsebegreppet*), but also as obliging social workers to report undocumented migrants to the police (*underrättelseskyldighet*). An on-going study is investigating different local understandings of this in Sweden (Cuadra and Staaf, forthcoming). The unclear policies make it difficult for social workers to know what they can do and what they cannot do. But they also facilitate local decisions that are more generous than national laws. In the area of social support, there are local decisions in Malmö in the direction of making women's shelters and childcare accessible for undocumented migrants (Malmö stad 2012, Riktlinjer för det politiska samarbetet i Malmö under mandatperioden 2010-2014). There are also activist initiatives aiming at opening up spaces for undocumented migrants at the local level (see Fristad Malmö 2012). As there are local political discussions on the matter and much activity in the civil society (both within formal NGO's and migrants' networks), the region of Scania, and especially the city of Malmö, is an interesting example to study.

### **Citizenship – a matter of negotiation?**

The organization of welfare varies depending on historical context and across space, and today's welfare states are organized with different relations between state, market and civil society. In classical research on welfare, the Social Democratic welfare regimes, such as the Swedish, are defined as universal (Esping-Andersen 1990). In this model, the state has a central role and is a base for solidarity and redistribution. However, intensified movements across national borders have actualized debates concerning an increasingly differentiated access to welfare (Brochman and Hagelund 2010, Fink and Lundqvist 2010). According Carl-Ulrich Schierup et al (2006), there is an idea of social responsibility in the European welfare states that clashes with a growing population of undocumented migrants, guest workers and asylum seekers. As social rights are tied to citizenship (or permanent residence) many migrant groups do not have access to welfare at the same basis as the rest of the population.

To be a citizen is most often understood as being member of a community. Throughout history there have been many struggles concerning who is to be seen as a citizen, and thereby who can be a political subject (Isin 2002). The development of today's citizenship is described in a famous essay by T H

Marshall (1992) as first including civil rights (grounded on equality before the law), then political rights (participation in elections and political parties) and finally social rights (basic welfare).<sup>6</sup> According to Marshall, social rights have been developed through the welfare states, with social reforms during the last century. In Marshall's understanding of citizenship, it is seen as a status implying rights and responsibilities. However, Marshall has been criticised for having a linear and western view on this development and feminist scholars have criticised him for neglecting *de facto* differences between men and women and excluding the private sphere (Johansson 2008).

The criticisms of classical research on welfare and citizenship show that other aspects than formal rights (citizenship as a status) are important; the *access* to rights may differ, depending on aspects such as gender and ethnicity (Siim and Borchorst 2010, Lister 2009). According to Ruth Lister (1997), a feminist development of citizenship must embrace also participatory aspects, central in a republican understanding of citizenship. Lister points at the *exclusionary* character of citizenship; *from without* when it comes to migrants and *from within* when it comes to social divisions such as class, gender, "race", sexuality and ability. Cultural boundaries affect the perceived belonging to the nation state, and thereby the possibilities of participation (Soysal 2001). According to Nira Yuval-Davis (1999), an individual belongs to different layers of collectivities (such as local, ethnic or national), affecting the mode of participation in society. There are also authors arguing that citizenship should rather be understood at other levels than the national, such as the transnational or the local level (Faist 2001, Isin 2007). The boundaries between insiders and outsiders can therefore be blurred as an effect of increasing migration (compare Yuval-Davis 2011). Cosmopolitan citizenship and cosmopolitan solidarity, valuing what the humanity has *in common*, are sometimes put forward as an alternative understanding of the division between *us* and *them* (e.g. Appiah 2006).

The debates concerning citizenship are extensive, and the brief discussions above show that understandings and practices of citizenship are not static. There are negotiations and struggles taking place concerning who is to be included in a community and what the community should consist of. Engin Isin and Greg Nielsen (2008) focus on this, using the concept *acts of citizenship*. Instead of studying citizenship as a *status* or as a *habitus* they focus on the moment when the status becomes contested. The act is creative and disrupts the order, it is something else than a continuing practice or a planned action. Isin (2008:39) distinguishes between "active citizens" participating in society but acting out "already written scripts" and "activist citizens" who are engaged in "writing

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6 Rights, according to Isin (2009:376) can be understood as the "substance of citizenship".

scripts and changing the scene”. However, according to Isin, an act of citizenship does not have to be conscious; the understanding of an act also lies in the eyes of the interpreter. Isin defines acts of citizenship as: “...*those acts that transform forms (orientations, strategies, technologies) and modes (citizens, strangers, outsiders, aliens) of being political by bringing into being new actors as activist citizens (that is, claimants of rights) through creating or transforming sites and stretching scales*” (Isin 2009:383). In the concrete moment of the act someone is directly *answerable* to justice – not only *responsible* to law in a more universal sense. Referring to Balibar, Isin gives the example of the *sans papiers* movement in France who, by claiming rights, “made a contribution to the progress of the democratization of borders” (Balibar 2004:49 in Isin 2009:381).

I believe that the theorization on acts and answerability may be useful when trying to understand negotiations or disruptions taking place in the meetings between social workers and undocumented migrants. The choice to act may possibly change the relationship between the undocumented migrant and the welfare state and create a new space of inclusion.

### **Undocumented migrants: not-yet citizens?**

National borders can be seen as central to today’s welfare state projects and migration politics are therefore important when defining the nation state (Brochman and Hagelund 2010, Kalm 2008). The discussions on undocumented migrants’ rights therefore often concern how to guarantee rights to a group that is not protected by a state, and often with reference to Human Rights (Arendt 1968, Ingram 2008). With the nation states having an increasing ability to deport non-citizens, some authors argue that deportations are “constitutive to citizenship”<sup>7</sup> (Anderson et. al. 2011:544, with reference to William Walters). Undocumented migrants can therefore be described as non-citizens or deportable persons; they live their lives always with the risk of being deported (Holgersson 2011, de Genova 2005). Sharham Khosravi (2006) argues, referring to Giorgio Agamben, that citizenship is used as a “natural” sign of humanity, excluding undocumented migrants from rights (see also Sager 2011). According to Khosravi, the rights of undocumented migrants are territorialized, reducing human rights to citizen rights.

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7 Some authors, and various civil society organizations, have paid attention to an often violent control of borders when it comes to the EU immigration controls (Fekete 2011, Lemberg-Pedersen 2010). According to the webpage [owni.eu](http://owni.eu) (2012) more than 14.000 migrants have died at the EU borders since 1988 (and these are only the registered deaths).

However, we have seen above that undocumented migrants sometimes do have access to social rights and that citizenship is not static. Agnes Ku (2002) argues that the civil society (as understood in a Gramscian tradition) is a site for negotiating rights, citizenship and political recognition (compare Somers 1995). This way, she argues that groups which are *not-yet citizens* might formulate claims within the civil society and that the civil society might cross the borders of nation states. Struggles over rights within the civil society are here seen as cultural claims that may contradict each other. Rights are therefore never static or natural given. In a similar manner, some authors discuss the possibilities of a citizenship for undocumented migrants participating in some spheres of society (Sager 2011, Isin 2009, Sassen 2003). Even though excluded by legal citizenship, they might be included in local and transnational spaces such as health care institutions or the labour market (Weiss 2005). Other authors argue, with reference to Jacques Rancière, that undocumented migrants' own struggles call into question our understanding of the legal and the political subject (Gunnflo and Selberg 2010, de Genova 2010, Ingram 2008).

However, undocumented migrants belong to an exploited and vulnerable group, sometimes with few means to mobilize. Even though cultural boundaries may be overcome (to some extent depending on gender and family status), nation state borders play a significant role in their life – here and now (Sager 2011). National borders, present in migration politics but also in social politics, limit their opportunities to access welfare in the Scandinavian countries (Sager 2011, Thomsen et. al. 2010). No matter how we describe undocumented migrants' participation in the political community, it is evident that the group has needs that are not always satisfied. In order to satisfy these needs, they make use of own networks, NGO's and, to some extent, welfare state representatives.

### **Social work as a possible practice of inclusion**

Social work can be understood broadly, as having to do with social interventions (Svensson and Johnsson 2008) or as a way of providing welfare (Payne 2005). Just as citizenship and community, it has had different forms depending on historical context. Pierre Bourdieu (1998:2) describes social workers and similar professions (“the left hand of the state”) as “the set of agents of the so-called spending ministries which are the trace, within the state, of the social struggles of the past”. This indicates that today's social work is occupied with things that have not always been there, but rather have been defined and negotiated through a historical process. In this process, social workers have struggled for social justice but have also done charity work directed to “deserving” individuals and worked with issues related to social control (Ferguson 2008, Payne 2005, Qvarsell 1993). Historically, social work has been developed as voluntary work

and within self-support groups (Meuwisse and Swärd 2006, Payne 2005). In Sweden, it has gone through a process of institutionalization and professionalization along with the state's increasing responsibility for welfare provision during the last century (Qvarsell 1993, Micheletti 1995, Sallnäs 2000, Dellgran & Höijer 2006). However, social workers are often seen as having a responsibility to take part for vulnerable groups in society and to work for social justice (IFSW 2012, Göteborgsposten 2012).

Social workers within the welfare state institutions share classical dilemmas with other public servants: being a public servant means having a certain role in the welfare state, guaranteeing democratic functions but it also means being a responsible citizen (Lundquist 1998). The public servant has a duty to react when something in the bureaucratic organization is not right, for example through whistle blowing (see Hedin et. al. 2008). A dilemma is to what extent social workers should act according to their own moral judgment and how to balance this with the rule of law and different public interests. Lennart Lundquist (1998) argues that it is a problem when personal ethics dominates over public/administrative ethics, as the decisions made might be arbitrary. In the everyday practice of social work, there are many decisions that fall into a grey zone, without clear directives of how to deal with a problem. Michael Lipsky (2010) describes the public servants working directly with service users (or citizens) as *street level bureaucrats* with a certain degree of discretion. This means that they can use different strategies in order to facilitate their work and that they do not always strictly follow policies. According to Lipsky (2010:3), the individual decisions of street level bureaucrats “become, or add up to, agency policy”.

The work of street level bureaucrats is however not always articulated in relation to the organization or to policies. Sometimes social movement goals are articulated through bureaucratic channels. This has been called *institutional activism* when studying social movement members occupying formal statuses within the government (Downey 2009, Santoro & McGuire 1997) and I think that the concept also may apply to street level bureaucrats. According to Vincent Dubois (2010), there is vagueness in the function the bureaucrats' function, leaving room for the agents' backgrounds (experience, age, moral values) to affect their work and permit that they become personally involved in what they do. He says that:

“...ignoring personal feelings can be impossible on both sides and, furthermore (...) the very success of administrative interactions involves something other than merely conforming to institutionally defined roles” (Dubois 2010:4)

This can also be expressed as a *roominess of practice* (Lewis 2011): in the inter-subjective meeting there is room for emotions and, to some extent, for social workers to act according to their own values. In this vagueness, or roominess of practice, I see a possibility for citizenship acts. When acting in a concrete situation the social workers may perform a kind of activism and there are possibilities of a transnational or cosmopolitan solidarity in these meetings.

However, social workers' support to undocumented migrants is sometimes problematic also from an activist perspective. Maja Sager (2011:222) for example reflects upon civil society initiatives that in some sense “‘help’ the state to make the effects of the politics less explicitly violent”. In the act of helping it can also be expected that new borders are created. The role as a *helper* or *empowering work* is not unproblematic; the power relations between the social worker and the service user are uneven (compare Wrigh Nielsen 2009, Mattsson 2005, Haberman 2001), even more so when it concerns a relation between a citizen and a non-citizen. This is important to bear in mind when trying to understand the conditions of inclusive practices in relation to boundaries; who is included, who is including, and who has the possibilities to *act*?

### **Acts of citizenship in social work practice**

One of the findings in the pilot study was that the social worker felt that she was rather limited in what she could do in order to support undocumented migrants. The children she met were undocumented in the sense that they were to be deported to Italy or Malta according to the Dublin Convention and had no possibilities to have legal aid in Sweden. When asked about their possibilities to support undocumented migrants at their places of work, the social worker expressed that she was limited by the fact that she was “representing the municipality”. She had various colleagues who had had trouble when helping undocumented migrants, even when doing it in their spare time.

“One of [the persons helping undocumented migrants] was almost displaced, and this was the reason even if they didn't really mention it. But this disobedience, absolutely. And it is still, my boss asked me the other day, he told me that I shouldn't work with hidden refugees outside the work because he didn't want me to wear myself out, so he was taking for granted that I did it only because I am a political person (...) it isn't legitimate to help hidden refugees when you work at our workplace, we should not do it, that is just the way it is. And I don't believe that he is against helping them, absolutely not, I just think he knows how much energy it takes and... I can understand that in some ways, but on the other side he has nothing to do with what I do on my time off”. Social worker

The doctor, on the other hand, said that she would never work somewhere where she could not give health care to undocumented migrants. She relied on her ethical code as a professional:

“I might be naïve, but I believe that if you do meet with a doctor, few will get dismissed. In any case if it’s not a big operation or a big cost somehow, I believe there are few persons who would, when you are sitting with a patient, who say no... But we have it in the doctor’s ethics, we have a duty to take care of everyone so... So I believe that when you are there, but I believe that getting there... it is not always easy to get access.” Doctor

The quotations above reflect differences in professional status and the range of discretion. The positions of the doctor and the social worker were however not static. For example, the doctor said that when being at a new place of work she often waited a period before bringing undocumented migrants to the clinic. And even though the social worker had fewer possibilities than the doctor to support undocumented migrants, she told about a situation where she had been able to change the rules at her work place. At this occasion, the social worker and her colleagues helped unaccompanied children who were to be deported to appeal against the decisions of the Migration Board. This was not a part of their work tasks and other colleagues and bosses didn’t want them to keep on with it: “... then you sat principally in the evenings when the boss wasn’t there, and did it” (Social worker). After keeping the practice up for some time, they were however allowed to do it during their working hours. This illustrates that the working instructions may be changed through practice, at least temporarily. The social workers reacted on concrete circumstances and did something else than was expected from them. This could be understood as an act of citizenship, transforming working instructions and giving the migrants right to legal support (Isin and Nielsen 2008). In this case, the employees were also able to make a difference in the long run for the boys’ relation to the welfare state; the help meant that they were able to get residence in Sweden. However, it also created differences between the homes for unaccompanied youth in Malmö as not all employees chose to exceed their responsibilities.

### *Using available discourses*

When transcending the professional role and the institutional framework, the welfare workers often took an activist position. Not one of the interviewed referred to duties as a public servant. To support undocumented migrants on the contrary often meant breaking with this role and to make use of other values. In many of the interviews the participants instead talked about a *responsibility* to act in an unjust world. The social worker meant that she got a responsibility when meeting the unaccompanied children:

“When you see the deficiencies you get a responsibility, you know that if I don’t do it no one else will. No one will be there to make sure that these boys get their rights.” Social worker

This resembles Isin’s (2008) understanding of answerability. The reference to a (solidary) responsibility was however preferably used when talking about the personal reasons to act, not in the contact with colleagues or bosses.

The welfare workers used rather different arguments when justifying the support of undocumented migrants. As we could see above, the doctor mainly relied on her professional ethics. This kind of arguments has also been used in health care workers’ campaigns on the matter. The nurse interviewed was partly critical to a discourse that mainly is based on the health staff’s working conditions:

“...maybe also that the problem has been made a problem for the staff, an ethical and practical problem for the nursing staff and then the question gets another focus. And another legitimacy, even though I think that the humanitarian grounds and maybe the human rights would be just as important, but in the debate it carry authority if a doctor, especially, says that this has happened and that it is unethical and that I shouldn’t be that way.” Nurse

This illustrates that there are different discourses available. Human rights arguments were used in some of the interviews in order to justify the support of undocumented migrants. The social worker did not have a professional ethical code as strong as the doctor and she argued referring to the Children’s Convention:

“...basically it is about following a law, the Children’s Convention. The Children’s Convention is a law that is above other laws and I don’t care about that the authorities disregard that law. I follow that law; I follow my own ethical and moral values, which in fact follow a law as well.” Social worker

The teacher trainee illustrates how the weight of human rights provides a possible discourse to support her actions:

“The right to education, is that a human right? (...) Because then you could argue using that, if you think that you need documents to support your arguments, because I think that human rights in the practice, if you look at it from the point of view of undocumented migrants, aren’t human rights but citizen rights, and if you believe that there should really be human rights, then everyone should have these rights no matter if you have your last figures [in the Swedish personal code number] or not, so to speak.” Teacher trainee



The priest's arguments were grounded on Christian and liberal humanist values, another kind of discourse that is often used when supporting undocumented migrants.

Even though disruptive to an order that usually excludes undocumented migrants and refuses them access to social rights, the welfare workers were often defining their support as inscribed in professional ethics or in human rights law. In Isin's (2008) understanding, the *act* does not have to be conscious; but still, I think the support to undocumented migrants often can be understood as something else than as an act of citizenship. Everyday practices may be loaded with other meanings than first perceived. Michel de Certeau (1988) describes practices, that are at the same time resisting and acting within the present rules of language and society, as *tactics*. Tactics are, in difference from *strategies*, not planned but depending on the moment they are created and they are a way to claim autonomy for the individual. The everyday practices are therefore often not predictable even when following scripts. This might be a complementary way to understand the support to undocumented migrants using present value systems.

#### *Giving social support as a fellow citizen*

The immediate needs of undocumented migrants are often related to economic destitution and a vulnerable situation; this affected the kind of support provided. Even though the doctor was marking a difference between herself as a professional and her private life she did in some cases switch roles. Asking a colleague to take care of the medical problem she could instead help a person as a fellow citizen – for example by receiving someone in her home. This kind of support is to a larger extent related to social work practice; providing housing and economic aid. The relation to undocumented migrants was often not determined by the relation professional – service user, but rather of a solidary relation between “fellow citizens”. To various extents, the role as a professional was sometimes marginalized. The teacher trainee for example identified more as an activist than as a teacher:

“...as an activist I can do almost whatever I like, as a professional you are still like, I don't know, it feels like there are so many regulations for most things and that, well, there is a fear of losing your job...”

Teacher trainee

The nurse could sometimes receive undocumented patients within her ordinary tasks. However, she said that she often preferred to support undocumented migrants outside of work.

“I would definitely take care of the [undocumented] patient. But then I think, to me the opposite has been more important, to accompany the

undocumented migrants when they go to a hospital, and also to go visiting them when they are there just because it is very important that there is a Swedish person around who can defend their rights. It gives them support, but it also gives signals to the personnel that they are not alone.” Nurse

The social worker argued that she always helped as a fellow citizen rather than as a professional, she was even reluctant to using the word “professional”:

“Absolutely as a fellow citizen, I would say. Because I believe that it would be easier to shut your eyes, or, as a social assistant... in the role as a social assistant you can in some way ‘this is my limit, this is my work’, the professionalism somehow, if you want to use that horrible word... it can create limits somehow, but as a fellow being it’s just terrible (...) even if I weren’t a social assistant I would have felt the same, what should you say, duty to help these people” Social worker

However not willing to limit her support to a certain professional role, she seemed to mean that social workers in general have a will to help others and that social workers often don’t have the same professional limits as the doctor relied on:

“...social workers at every workplace have chosen this profession for a reason, social workers often have a... you reward yourself when you help someone else (...) To know that you are helping someone that doesn’t have anyone else, that’s... it’s tragic but, ugh it’s terrible to say it, but it is satisfactory at the same time.” Social worker

There seems to be a negotiation between things that may be done “inside of” and “outside of” the professional role. On the one hand being “professional” (in the sense of being a public servant) is understood as limiting the possibilities to help and on the other hand *helping* seems to be understood as inherent in the role of a social worker. The role as a *helper* or *empowering work* is however not unproblematic; the power relations between the social worker and the service user are uneven (compare Wrigth Nielsen 2009, Mattsson 2005, Haberman 2001), even more so when it concerns a relation between a citizen and a non-citizen. In the quote, the social worker also talks about helping as a kind of egoistic practice; as something that is experienced as satisfactory.

The priest saw no difference between being a priest and a fellow citizen but he could criticize some of the church’s decisions. However, a crucial difference between the priest and the others was the way to delimit the contact with undocumented migrants (the creation of new borders). The priest only helped persons who he thought really had a chance to stay in Sweden (he determined this with the help of lawyers), as he found it inhumane to hide persons who would not get residency in Sweden. The doctor often drew this line by referring

to her professional role; the social worker, the nurse and the teacher trainee rather drew it with their psychological capacity:

“There are periods when you feel that there are almost no limits [for what you can do] because you feel ‘I am not important in this, I am privileged, I have a well-functioning life’ and so on, but the limits are drawn by themselves when you notice that you start to go off things. When you... get tired, you get whiny, you notice that you don’t really have the energy to meet the people that you meet, you just have the feeling of duty left, when you feel that you simply start to get useless...” Social worker

“The hardest thing is that I feel that I am becoming cynical. That I start to lose my hope. I have witnessed so many rejections, so many cases when it is clear that they should get asylum... (...) In the end you feel that there is something wrong with the system, I can’t affect the migration politics, which are going to hell, and then you have to, with small resources, do the daily things that you are able to do, to hide refugees, to follow them to the psychiatric emergency, to follow them to the pharmacy and fuss with the personnel there and to help them to find a school, things like that.” Nurse

In situations where there was little room to act according to own ethical values within the welfare state institutions, the welfare workers seemed to act entirely as private persons, or fellow citizens. The possibility to do so is of course affected by more factors than the range of discretion at work. The nurse, the social worker and the teacher trainee were around 30 years old and without children. They could be expected to be less constrained when it comes to supporting undocumented migrants in their private life than the doctor and the priest, who had children. All informants except the priest were women; however not explored in this text, there is often an image of *the good female carer* linked to voluntary work that might be of interest for further analysis (compare Haberman 2001). This kind of circumstances probably affected the manner of helping, but it did not hinder any of the participants from supporting undocumented migrants.

## Conclusion

With the help of literature on migration and citizenship, I have aimed to understand the welfare workers’ support to undocumented migrants as something more than professional dilemmas. I have found Isin and Nielsen’s (2008) concept *acts of citizenship* useful. When acting in a concrete situation *answerable to the other* the welfare workers are performing a kind of activism. Partly, this is possible because of the grey zones concerning what the welfare

workers can and cannot do. The *roominess of practice* (Lewis 2011) and the *vagueness* of the situation (Dubois 2008) leave room for emotions and own moral judgments. In the interviews, it was sometimes possible to identify acts of citizenship. The clearest example was the disobedience of the social workers leading to new rules at the work place. With different acts and practices, the welfare workers created moments of inclusion. Sometimes this inclusion was based on that they felt a responsibility or argued for in terms of human rights, this may indicate that there are possibilities of a transnational solidarity in concrete meetings.

However, the limitations of inclusion through practice are often very clear. What the welfare workers do might sometimes be seen as acts disruptive to the order, and sometimes as *tactics* performed within the system (de Certeau 1988). Many different aspects and dilemmas in relation to the possibilities to support undocumented migrants have been identified above. The limit between public and private is one such aspect. The balance between a person's own interests and the interests of an organization is often problematic. This is not only true in relation to the dilemmas of being a public servant as described by Lundquist (1998), but also in relation to the limits of institutional activism and what is possible for a person to do without losing their position (Downey 2009). The sometimes egoistic satisfaction which a person can have when helping somebody else could also be contrasted to the more general interest of providing opportunities for inclusion in the welfare system. These aspects may sometimes explain why or why not an act of citizenship was possible and problematize this act as something that not everyone is able to do.

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