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The Case of Maria Amelie

Post-Political Biopolitics, Geopolitical Imaginations and the Norwegian Asylum System.

Sigurd Tvete

UCL
Migration Research Unit

The Case of Maria Amelie:

Post-Political Biopolitics, Geopolitical Imaginations and the Norwegian Asylum System

Camps set up by Ethiopian and Iranian failed non-returnable asylum seekers outside the Oslo Cathedral. Photographed by Sigurd Tvete June 14 2011. The tents were removed by Norwegian police June 30.

Submitted by Sigurd Tvete

September 2011

Dissertation supervisor: Dr JoAnn McGregor

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Abstract

This dissertation is a Foucaldian reading of the main factors shaping the Norwegian asylum system. It aims to discover underlying assumptions and attitudes, and to explain how biopolitical dispositifs affects asylum seekers. The case of the former irregular migrant turned author Maria Amelie serves as a foundation of the dissertation, and it endeavours to find out why the Norwegian government decided to change the migration rules and readmit her to Norway after deportation. The research was conducted primarily using semi-structured interviews. Members of parliament, NGO representatives and a variety of other relevant actors were interviewed.

The restrictions to asylum policies over the past decade are explained by showing how they are a product of individual politicians' need for control, and votes. The concept of national sovereignty and a strong nation state is apparent in the views expressed by politicians. However, although most parties oppose EU membership, most are in favour of cooperating with EU on matters of border security. It is clear that the modern geopolitical imagination exists with politicians.

The geosurvellaince mechanism of Eurodac is examined, and used to illustrate the functioning of bio-power. The database attempts to discipline asylum seekers into docile bodies, but may instead be a dividing practice which Others the migrants as illegal. Likewise Norwegian politicians' strong focus on identity is discussed in a biopolitical way, where the body of the asylum seeker needs to be identified in order for Norway to maintain its sovereign integrity and control. It is proven that politicians discursively construct the problem of unidentifiable asylum seekers without factual evidence.

As well as being established as a public figure due to her book, Maria Amelie's strong cultural capital, her white skin colour, and fluent Norwegian language were the main reasons of her popularity. After being arrested and deported the government changed the migration rules, taking a technocratic approach that would benefit very few, showing how Norway is on its way to becoming a post-political society of fear.

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'*Nothing so clearly marks out the modern era and defines our attitudes and sentiments as national consciousness and nationalist ideology. Not only in our everyday political and social life, but also in our underlying assumptions, the nation and its nationalism provide a stable framework for good or ill and define the goals and values of most collective activity*' – Anthony D. Smith in 'The Origins of Nations' (1989).

Introduction

Madina Salamova, more commonly known by the self-given pseudonym "Maria Amelie", was born in North Ossetia, Russia in 1985, but fled the country with her parents in the year 2000. After two years in Finland the family was denied asylum and fled again, this time to Norway. Their application for asylum in Norway was denied after a year, and when the appeal to repeal the decision was denied, the family went into hiding. Maria Amalie learnt Norwegian and by using a false name, completed high school and university in Norway. After finishing a master's degree Maria wrote a book in Norwegian titled *Ulovlig norsk* (Illegally Norwegian), describing her life as an irregular migrant. The book made her a public figure in Norway and she was named "Norwegian of the Year 2010" by a leftist magazine for opening a public discourse on the situation for irregular migrants. The day before the book was launched Maria Amelie appealed to The Norwegian Immigration Appeals Board, arguing that the original appeal verdict should be changed on humanitarian grounds. The appeal was denied and in January 2011 Maria Amelie was arrested after giving a speech at the Nansen Academy. This led to nationwide protests and an unprecedented domestic interest in irregular migrants' rights. She was taken to the Trandum Detention centre where she was stripped naked and searched. The reactions to her arrest were not confined to Norway. Two politicians from Iceland thought the case so dramatic that they wanted to offer her Icelandic citizenship so she could return to Norway without a visa. 12 days after her arrest, on the 24th of January, Maria Amelie was deported to Russia. Despite having entered Norway as a child by her parents' will, she was never given the chance to try her case individually because she had been living in Norway illegally. In March 2011 she left Russia for Krakow, Poland, where she was housed by the International Cities of Refuge Network (ICORN) – an organisation which helps persecuted authors. Due to immense public pressure the Norwegian government changed its immigration laws and opened the right for deported people to apply for readmission without facing an exclusionary period. The main criteria are that one has to apply from the country of origin, and that a job offer in Norway can be

documented. Maria Amelie re-entered Norway on April 16th 2011 as a highly skilled labour migrant (Aftenposten 2011a; Amelie 2010; Bevanger 2011; Herbjørnsrød 2011; Roalsø 2011; Russia Today 2011; Sandelseon 2011; Sperstad et al. 2011, VG 2011).

Norway, a country of less than five million people that tops UN's Human Development Index, is widely respected for upholding human rights. Likewise even scholars in forced migration studies highlight Norway as a country that is open and tolerant and where the government 'actively choose to take a disproportionately large share of responsibility for protection in relation to population and GDP', and where '[t]he welfare system has provided an important framework for the incorporation of immigrants and refugees' (Betts 2008: 156; CIA 2011; Olwig 2010: 180; UNDP 2010). Regardless of these positive aspects, Norway's asylum policies have become increasingly restrictive over the past decade, and organisations have expressed concern over the treatment of some of Norway's asylum seekers and irregular migrants.

This dissertation seeks to uncover some of the reasons behind Norway's restrictions and policies, seen particularly through a Foucaldian lens. Specifically the research will try to:

1. Analyse parliamentarians' view on the Norwegian asylum system.
2. Explain and exemplify biopolitical dispositifs that seek to protect the welfare of the Norwegian population.
3. Situate the Maria Amelie case within the Norwegian asylum system.

The dissertation thus aims to disclose some of the underlying thinking and factors behind Norway's increasingly strict asylum system. It is particularly interesting to find out how the neoliberal nexus of national economic interests and perceived human threats manifest themselves in asylum and migration policies.

In order to gain a well-rounded and deep insight into the Norwegian asylum system a wide range of actors have been interviewed. The findings from these interviews will be discussed after a review of relevant literature and the methodology in the following chapters.

Literature Review

Bio-power, Biopolitics and Governmentality

Michel Foucault's concepts of bio-power, biopolitics and governmentality are particularly relevant to this dissertation. *Bio-power* is a specific form of state power that emerged in the eighteenth century, following – but not replacing – sovereign and disciplinary power. In contrast to sovereign power, which can traditionally be defined as the right to take life and as the defence and acquisition of territory, bio-power deals with the human body and its effect on a population. More precisely, bio-power is

> 'the set of mechanisms through which the basic biological features of the human species became the object of a political strategy, of a general strategy of power, or, in other words, how starting from the eighteenth century modern Western societies took on board the fundamental biological fact that human beings are a species' (Foucault 2009: 1).

Biopolitics, closely linked to bio-power, is the myriad of mechanisms – or technologies, apparatuses, securities or *dispositifs* – that put the human body into a system of governance, in order to maximise the welfare of the state's population. These mechanisms developed from the emergence of statistics. Prior to available statistical data the sovereign had little actual power over its population, due to a lack of knowledge and thus control. When statistics on births, deaths, and crime became available, the state could govern more effectively and efficiently (Rabinow and Rose 2006). In other words, '[p]opulation, then, appears as the end and instrument of government rather than as the sovereign strength', which implies that humans are governed as biological, rather than juridical, entities (Foucault 2009: 105).

The concept of *governmentality* can be seen as a triangle, where sovereign and disciplinary power work together with apparatuses of security in order to govern the population (Curtis 2002; Luke 1996). These securities – or technologies – operate on the notion that threats can never be fully eliminated from society, and mechanisms are therefore required to manage acceptable levels of threat to the state and/or its population

(Foucault 2009). For example, a foreign person entering the sovereign's territory can be seen as a threat. The person may be a murderer, thief, carrier of disease and so on. However, a foreign person might also be a tourist or a businessman who will make a positive contribution to the nation state. Mechanisms to manage this potential threat, that is to deter the negative flows from entering and to encourage the good flows, are a part of governmentality. Passport checks and body scanners at the airport are some other mechanisms of governmentality. If a person is beneficial, or at least not harmful, to the state, he or she can enter. Since threats can never be eliminated, a person who has a speeding ticket for instance, will most likely not be refused entry to a nation, even if there is a slight chance that speeding may occur which could be harmful. If the person is perceived as being too harmful, for instance carrying a loaded gun through the body scanner or by trying to enter the country on a false passport, he might be detained by airport officials. Similarly a business person may be seen as especially beneficial to the nation and might have particular privileges, for instance the use of biometric technologies and fast track systems (Amoore 2006; Sparke 2006). Here we can see how different types of governmental power work together in order to maximise the welfare of the population of the state, and how the human body is principal to the concepts of biopolitics and governmentality.

Governmental securities of bio-power are directly relevant to a discussion on asylum seekers and irregular migrants. Lisa Schuster (2011a: 102), writing about the individual rights of EU member states to individually decide whether to grant asylum, explains that the 'practice of nation-states in relation to the granting or withholding of security in the shape of papers or documents […] should be understood as an example of the functioning of bio-power'. She points out how asylum seekers' biometric data of fingerprints – which can be read in a Foucauldian way as statistics – are gathered in the Eurodac database. This database allows nations to 'maintain control of a population that, while physically vulnerable, is also constructed as threatening' (IBID: 102). The Eurodac database combined with the Dublin convention, which is a part of the myriad of 'institutions, procedures, analyses and reflections, calculations and tactics' that make up the troika of governmentality, is thus clearly a concrete manifestation of how bio-power can deter migrants from applying for asylum (Foucault 2009: 108).

Zembylas (2010: 32-33, author's emphasis) links together bio-power, geopolitics and the fear of asylum seekers by claiming that migrants are 'constructed as a danger to *our* (e.g., our national group) very existence. Fear of the Other is produced, circulated and capitalized on to achieve political and economic purposes'. This is significant, since in Ó Tuathail and Agnew's seminal paper on geopolitics it is pointed out that 'it is through discourse that leaders act' (1992: 191). Doyle (2009) adds that state racism is inherent in the relationship between sovereign power and bio-power, and that non-citizens are Othered by framing them as a threat to the nation state's social cohesiveness. It is therefore apparent how Othering may create a public discourse that will try to defend the nation state's population and how, through the use of biopolitical dispositifs, it may at the same time be to the detriment of the supposed invasive and damaging migrant.

Žižek (2008) expands on the concept and writes that we have entered an age of *post-political biopolitics*, which 'designates the reduction of politics to the expert administration of social life. Such a politics is ultimately a *politics of fear*, a politics focused on the defense against a potential victimization or harassment', for example the fear of losing votes (my emphasis). In order to mobilise towards action in today's society Žižek theorises that one has to incite fear. One can relate this to asylum seekers when he writes that in Europe 'main parties now find it acceptable to stress that the immigrants are guests who have to accommodate themselves to the cultural values that define the host society'.

Neoliberalism, Political Economy and Migration

Neoliberalism, or neoliberal globalisation, influences migration in several ways. Neoliberalism is a concept that can be defined as a 'theory of political economic practices proposing […] the maximization of entrepreneurial freedoms within an institutional framework characterized by private property rights, *individual liberty*, unencumbered markets, and free trade' (Harvey 2007: 22, my emphasis). However, 'individual liberty' is certainly only a theoretical part of neoliberalism, because while a neoliberal regime will welcome highly skilled workers, it will often at the same time try to deter the unwanted, unskilled, migrants (Bagchi 2008). Here we can draw a parallel with Foucault's concept of governmentality, since proponents of neoliberal globalisation welcome a beneficial flow of

goods, services, and human capital, yet at the same time deter perceived threats to the nation state, in the form of for instance unskilled migrants or asylum seekers. The European Union serves as a tangible example of this, where there are very few borders in its internal market, and where goods and services flow almost without obstacles, but where at external borders non-member citizens are met with increasingly high barriers (Houtum and Pjipers 2008; Huysmans 2000).

Conway and Heynen (2006: 29) postulate that for the last few decades, and especially since the 1990s, 'ultra-conservative and conservative and conservative/right-wing political ideologies dominated socialist and left-wing platforms, and very much determined national political scenes in Europe, Asian and Latin America'. These ideologies are certainly synonymous with the definition of neoliberalism when it comes to free trade and lax market regulations, but paradoxically most right wing discourse labels migrants as a threat to both a nation's economies and social cohesiveness. Research has also shown that people who view migrants as a threat are more likely to vote for right and extreme-right political parties (Lubbers *et al.* 2002). Additionally, a neoliberal society leads to heightened individualism, and decreased sense of solidarity. This is substantiated by a study of Norwegian newspaper discourses, where the authors conclude that in Norway 'our lives are being radically changed due to the ideology of extreme individualism stripping us for capacities of benevolence and solidarity with others and society' (Nafstad *et al.* 2007: 325). Whether Norway is in fact a neoliberal nation is another discussion, too vast to engage in here.

There are academics who believe that the Scandinavian countries cannot be thought of as having undergone a neoliberal turn (Abrahamson 2010, Interview 36). If, we agree, Norway is not a neoliberal country, perhaps we are seeing a turn towards welfare chauvinism. In this way the view that migrants are a threat to the social and economic cohesiveness of the Norwegian welfare state manifests itself in rightist discourse. Welfare chauvinism is often directly linked to Othering, where people from other cultures, with different ethnicities, religions and skin colours are perceived as not worthy of social benefits and a drain on the welfare system. Findings from Crepaz and Damron (2009: 450) 'reveals high levels of welfare chauvinism, even in the Nordic, high trust countries […] which […] indicates that large swaths of Nordic populations believe that immigrants are a drain on public services'. Paradoxically however, the authors claim that a comprehensive welfare

system reduces welfare chauvinism. Whether this means that without the Norwegian welfare system there would be even higher levels of perceived welfare chauvinism is unclear, but it is pointed out that people voting for right wing parties are more inclined to view migrants as a drain on the welfare system. Perhaps this means that neoliberalism and welfare chauvinism are in some cases linked, and where there has been a neoliberal turn this has increased the level of welfare chauvinism in that country. This is perhaps not as ironic as it may seem, since the neoliberal agenda praises privatisation and proposes less public spending on welfare. Indeed, Hirsch (1997: 50) agrees by writing that 'it should not seem surprising that the existing globalization of the world market is linked with racism, bio-genetics, ethnocentrism, and welfare-chauvinism'.

As mentioned, under the neoliberal regime bio-power may stipulate a migrant both as a threat and as a benefit to the population. The neoliberal model citizen, the *homo economicus*, is a rational and entrepreneurial economic subject, whose freedom and liberalism is characterised by being an active part of the capitalist system (Lemke 2001; Tikly 2003). Relating this to David Harvey's definition, it is clear that individual liberty in a neoliberal mode of government requires a person to fit the descriptions of *homo economicus*. Neoliberalism is thus 'not just a manner of governing states or economies, but is intimately tied to the government of the individual' (Read 2009: 27). Asylum seekers and irregular migrants fall outside the category of economic subjects (although the labour of irregular migrants can paradoxically be seen as a vital part of many capitalist systems) and are consequently turned into abject subjects whose cosmopolitanism is undesirable to Western States (Nyers 2003), whereas the *homo economicus* is so attractive that countries specifically introduce business immigration programmes (Ley 2004).

Securitisation, Detention and Deportation

The externalities of neoliberal migration policies can also be seen in conjunction with a wider process of *securitisation*. Curley and Wong (2008: 5) and Buzan *et al*. (1998) explain that securitisation 'is part of a wider intellectual project that focuses on the importance of regional security' concerning among others economical, societal and political factors, and is due to the discourses in society. A threat may therefore not be objectively real in order to enter the security dialogue, but just perceived. This ties in with the *risk society.* Beck (2006: 332) contends that '[m]odern society has become a risk society in the sense that it is increasingly occupied with debating, preventing and managing risks that it itself has produced'. Moreover it is argued that the risks are for the most part discursively produced through 'hysteria and *politics of fear*' (my emphasis). Migration has increasingly been grouped together with issues such as terrorism, economic insecurity, crime, and religious fundamentalism, which has led to policy makers viewing migrants as a security threat. Refugees, asylum seekers and irregular migrants pose an especially big threat to established and 'dominant notions of sovereignty, citizenship, public health, national identity, cultural homogeneity, racial purity and class privilege' (Huysmans 2006; Karyotis 2011; Krasteva 2011; Peutz and De Genova 2010: 2). Eriksen (2006) combines neoliberalism, cultural homogeneity and securitisation to point out the contradictory views belonging to proponents of neoliberalism. He points out that in Norway minority groups are often seen as a threat both to the economy and to cultural cohesiveness by the very same people who supposedly believe in neoliberalism and its mantra of open markets and borders.

Media representation is an important factor in the portrayal of migrants as a threat. Tsoukala (2011: 192) informs that migrants are particularly vulnerable to 'ongoing negative stereotyping that correlates them with an array of security and cultural threats', and that discourses labelling migrants as a threat 'obeys strict rational criteria that incorporate vested interests and needs of the host society'. In Norway, research has shown that migrants from outside Europe are represented more negatively in the media than migrants from within Europe (Horsti 2008). This might be because immigrants are perceived as a threat to the supposed cultural and biological homogeneity in Norway, which is partly a factor of Norway's history of national romanticism (interview 36). Crepaz and Damron (2009) agree when they point out that the welfare state and national identity are

fundamentally linked. As notions of identity, ethnic or not, become most important when threatened (Eriksen 2002), perhaps this is why non-Europeans are portrayed more negatively; they constitute a bigger threat to Norwegian ideas of ethnicity than other culturally more similar, European citizens. These strict ideas of Norwegian identity manifest themselves in Norwegian institutions, and may in some instances lead to institutional racism or discrimination. An example of how strong these ideas are can be found in this excerpt from an e-mail from the Norwegian Language Council to a Norwegian magazine:

> 'We do not believe that there is a need to replace ''ethnic Norwegian'' by another term. We believe it is incorrect to call people from other countries ''Norwegians'' because ''Norwegian'' per definition refers to someone of ethnic Norwegian descent (quoted and translated in Lane 2009).

Whether they believe that there is no need to replace the term "ethnic Norwegian" or not is irrelevant. What is relevant is that the Norwegian media are 'incorrect' in calling people from other countries Norwegian. The Norwegian Language Council possesses a high level of authority, credibility and power when it comes to framing the Norwegian public discourse. We also see how this may have been an example of national vested interest incorporating strict rational criteria.

Deportation and detention of asylum seekers and irregular migrants are progressively used by nation states as methods to combat the alleged security threat they pose. Highly contentious, these methods may be seen as a desperate act of the state to assert its sovereign power in an increasingly globalised world, while at the same time responding to the popular anti-migration discourses that dominate many nations. It can be thought of as a 'spectacle of enforcement', but in the quest to deter other migrants from trying to claim asylum or enter a state's borders illegally, international non-refoulement conventions or local laws and norms regarding imprisonment are often broken (De Genova 2002, quoted in Cornelisse 2010: 115; Fekete 2004; McLoughin and Warin 2008).

Globalisation does not only limit states' real or perceived sovereign power, but in turn leads to an increased migration of asylum seekers and irregular migrants. Bauman (2004) describes the relationship between globalisation and forced migration, and depicts forced migrants in the eyes of the state as:

> ‘human waste of distant parts of the globe unloaded into “our own backyard” […] providing governments with an ideal deviant “Other”. Refugees, the displaced, asylum/seekers, migrants, the *sans papiers,* they are the waste of globalization [and serve an important purpose for nation states who, in a globalising capitalist world order have limited power in the international arena but who can still exercise] the foundational constitutive prerogative of sovereignty: their right of exemption’ (Quoted in O’Neill 2010: 75, authors’ words in brackets).

‘Their right of exemption’ may be viewed as the sovereign right to deny asylum and deport non-citizens, but it may also be viewed in relation to Giorgio Agamben’s concept of the “State of Exception” which, rather simplified, holds that in some instances the sovereign will place certain subjects outside the regular normative and legal orders (Andrijasevic 2010; Stratton 2009). In the state of exception the marginalised subjects are seen to become the *homo sacer*, where the individual is divested of all political rights or agency and where it is reduced to “bare life” at the mercy of the sovereign (Darling 2009). Additionally Stratton (2009: 685) posits that the state of exception is a factor of neoliberalism since a ‘key characteristic of the neoliberal state is the decline in the power of the law’.

Although asylum seekers and irregular migrants, especially detained ones, are often considered the quintessential *homo sacer* of post-modernity, many academics contest their perceived lack of agency. Davis (2010) and Nyers (2003, 2008) write about the political philosophy of Jacques Rancière who theorises that the making of politics happens through contestation in a variety of extraordinary situations, where the agentless subject opposes the established norms or oppression. By for example staging protests, participating in hunger strikes or by launching mass regulation campaigns, an asylum seeker or irregular migrant can give themselves agency and become a political subject. Considering the often tragic experiences and heart-breaking reports of the inhuman treatment of an asylum seeker, the host society and consequently also its politicians are often required to listen or act. Thus one may almost see a reversing of bio-power, where instead of the state trying to control the human body, the asylum seekers tries to “control” the state to listen to their demands by for example hunger striking. Doyle clarifies by stating that:

> ‘Agamben’s description of bare life as lacking political subjectivity does not account for the politics of presence or the voice that breaks through the barriers of sovereign capture. These moments of resistance are enough to stimulate a sense of unease, which fuels the hysteria characteristic of public discourse about asylum seekers. Trapped in a space of exception, bare, physical life can itself become a ground for political communication, as seen, for example, in the fifty-six or more suicides committed by asylum seekers detained in Britain since 1990’ (2009: 129).

However, an abject migrant does not necessarily need to go to such drastic measures in order to become a political subject. Nyers (2003: 1078) contends that the foremost political act is speech and that ‘political speech is an attribute belonging to the realm of citizenship’. Conversely one may also see how the ‘sense of unease’ can be tied to a post-political biopolitics of fear, where politicians may capitalise on the public’s anxieties by opting for technocratic solutions in order to silence the asylum seekers.

Methodology

Semi-structured Interviews

The primary research conducted for this dissertation is mainly based on *semi-structured interviews*. I interviewed 26 people in total. Seven were members of the Norwegian Storting (parliament). Six of the seven political parties represented in parliament were interviewed, focusing on the parties' spokes-person for immigration policies. Interviews were also conducted with a variety of other actors in the Norwegian asylum landscape, including representatives for non-governmental organisations, the principle of a school for immigrants and asylum seekers, the director of an asylum centre, people working in media, Maria Amelie's lawyer, Maria Amelie's boyfriend, one of the foremost academics in Norwegian culture and ethnicity, and also failed asylum seekers. I decided to interview a variety of people from different organisations and backgrounds in order to provide a more holistic and differentiated view on the Norwegian asylum system. A full list of all persons interviewed is in the table below.

Table 1: Interview list

Interview number	Name	Position / title	Interview date
1	Geir Bekkevold	Parliament member for the **Christian Democratic Party** and spokesperson on immigration issues	Monday June 6th, 2011
2	Ingvald Bertelsen	Communications Advisor at **Norwegian Organisation for Asylum Seekers (NOAS)**	Monday June 6th, 2011
3	Kyrre Nakkim	Head of politics and society at **NRK (Norwegian Broadcasting Corporation)**	Tuesday June 7th, 2011
4	Sven Thore Kloster	Policy advisor at **Church of Norway Council on Ecumenical and International Relations**	Tuesday June 7th, 2011
5	Johannes Heggland	Secretary General at **Church of Norway's City Mission**	Wednesday June 8th, 2011
6	Per-Willy Amundsen	Parliament member for **The Progress Party** and spokesperson on immigration issues	Wednesday June 8th, 2011
7	Ulf Leirstein	Parliament member for **The Progress Party** and spokesperson on financial issues	Wednesday June 8th, 2011
8	Lise Christoffersen	Parliament member for **The Labour Party** and spokesperson on immigration issues	Thursday June 9th, 2011

9	Jon Ole Martinsen	Policy advisor at **Selvhjelp for innvandrere og flyktninger (Self-help for immigrants and refugees)**	Thursday June 9th, 2011
10	Heidi Greni & Halvor Fosli	Parliament member for **The Centre Party** and spokesperson on immigration issues. *Interviewed with the assistance of the political advisor Halvor Fosli*	Thursday June 9th, 2011
11	Heikki Holmås	Parliament member for **The Socialist Left Party** and spokesperson on immigration issues	Tuesday June 14th, 2011
12	Brynjulf Risnes	Maria Amelie's **lawyer**	Wednesday June 15th, 2011
13	Jan Tore Sanner	Parliament member for **The Conservative Party** and spokesperson on financial issues	Wednesday June 15th, 2011
14	"Hamza"	Iranian **failed and unreturnable asylum seeker**	Wednesday June 15th, 2011
15	"Rashad"	Iranian **failed and unreturnable asylum seeker**	Wednesday June 15th, 2011
16	"Jamel"	Palestinian **failed and unreturnable asylum seeker**	Wednesday June 15th, 2011
17	"Yahir"	Palestinian **failed and unreturnable asylum seeker**	Wednesday June 15th, 2011
18	Christine Rackwitz	Policy advisor at **Save the Children**	Thursday June 16th, 2011
19	Tormod Bakke	Founder of **Peoplepeace**	Thursday June 16th, 2011
20	Sverre Hervik	Principal of **Fredrikstad internasjonale skole (Fredrikstad International School)**	Friday June 17th, 2011
21	Per Bertelsen	Director at **Norwegian People's Aid's Veumalléen asylum centre**	Thursday June 23rd, 2011
22	Irfan Qaiser	Policy advisor at **Norwegian People's Aid**	Thursday June 23rd, 2011
23	Eivind Trædal	Editorial assistant at **Morgenbladet newspaper** and **Maria Amelie's boyfriend**	Thursday June 23rd, 2011
24	Berit Lindeman	Head of Information and Senior Advisor at **Norwegian Helsinki Committee**	Friday June 24th, 2011
25	Rune Berglund Steen	Head of Communications at **The Norwegian Centre Against Racism**	Friday June 24th, 2011
26	Thomas Hylland Eriksen	**Professor of social anthropology** at University of Oslo	Thursday June 30th, 2011

One benefit of interviewing many different actors was to gain different perspectives, thus questions were tailored for the various interviewees.

I also supplemented the interviews with participant observation. I visited camps set up in central Oslo by Iranian and Palestinian non-returnable failed asylum seekers, where I was allowed to take photos and interact with the residents. I attended a meeting of the three camps (Iranian, Palestinian and Ethiopian) in Oslo, where they planned a campaign and discussed how to represent themselves and make their cases heard by the Norwegian authorities and society. I observed a demonstration by Iranians against the Iranian state outside the Norwegian parliament, and finally I celebrated World Refugee Day at an asylum centre in the town of Fredrikstad.

Theoretical Considerations of Semi-Structured Interviews

Semi-structured interviews are 'high-preparation, high-risk, high gain, and high-analysis operations' (Wengraf 2001: 5). It is one of the most commonly used methods in qualitative research, and it involves formulating a set of questions before an interview, but allowing scope for follow up questions and exploring issues in-depth by probing for more information (Barriball and While 1994; Longhurst 2010)

It is particularly the exploration of attitudes, values, beliefs and motives that is the main reason why semi-structured interviews were chosen as the primary data collection method for this dissertation. To uncover how politics go from ideas and statements at the level of individual politicians to the decisions being made collectively on a parliamentary level and the discourses shaping these decisions, it is vital to investigate their views on asylum and immigration.

Discourse Analysis

The data collected in the interviews is analysed through discourse analysis. According to Foucault 'nothing has a meaning outside of discourse', and considering that discourse not only constitutes language, but involves the intersection between theory and practice, it is vital to also explore how politicians' statements synchronise with practice (Bouchard 1977; Hall 2005: 73). By interviewing a variety of actors one not only gets the parliamentary members' point of view, but also the views of the other actors in the Norwegian asylum

system, who are working on a day to day basis within the realms of the policies decided by the parliament

As this dissertation is largely based on Foucault's theories, specifically relating to bio-power and governmentality, one can say that the discourse analysis ties in with a more holistic Foucauldian reading of the Norwegian asylum regime. A thorough discussion of post-structuralism is beyond the scope of this dissertation, however it is important to note the ethical and anti-essentialist nature of post-structuralism, which resists rigid structural analysis and rather tries to concern itself with 'fluid and dynamic conceptualizations' (Morgan 2011: 192). The philosophical consideration of the dissertation is vital, as 'philosophy is to research as grammar is to language [and because] we cannot conduct a successful piece of research without making certain philosophical choices' (Graham 2005: 10).

Rose (1997: 305) warns that 'all knowledge is produced in specific circumstances and that those circumstances shape it in some way' (see also Dick 2004). Therefore one must consider that whatever is said in a semi-structured interview depends on the *positionality,* meaning how the world is viewed from the embodied location (gender, class, ethnicity etc), of respondents, as well as the positionality of me as interviewer. Closely linked to the concept of positionality is the concept of *reflexivity*, which deals specifically with power relations in qualitative research, and the analytical scrutiny of the researcher. This is an important, but not easy task as 'we never fully understand (or are fully aware of) our position in webs of power' (England 2006: 289; Rose 1997).

These concepts were particularly important to take into account when interviewing the parliament members. As a person who recognises his political view as far more liberal (in the literal sense, not the neoconservative sense of the word) than most of the parties in the Norwegian parliament, and who sympathises with the injustice of a territorialised world that severely limits the supposed universal human rights, eloquently described by Cornelisse (2010), it was especially important for me to try to detach myself as much as I could from my personal beliefs whilst conducting interviews.

Limitations

Apart from the aforementioned limitations, Diefenbach (2009: 891) posits that interviewees can be 'influenced by the interview situation and [will] not [be] a reliable source for information because of unconscious bias […] [and] because of conscious and deliberate attempts to mislead the interviewer', however this is where the benefits of interviewing many different actors in the asylum regime come in to play. It is also a research method that requires the interviewer to be highly prepared and able to interact with the interviewee, both to ask follow up questions, and also to understand the topics being discussed.

Ethics

Ethical considerations and confidentiality are vital to any research project (Ryen 2004; Hay 2010). I interacted with people who are not legally allowed to be in Norway, and even though they were extremely candid and happy to talk to me, I felt a moral obligation to ensure that their participation in my research does not make them more vulnerable to being deported from Norway. I have therefore decided to use pseudonyms for a few of the respondents in the interview list, even though they were more than willing to disclose their names and also pose for pictures.

All the interviews were recorded using a digital voice recorder. The respondents were asked beforehand for consent to record the interviews, and some interviewees were sent their quotes for approval.

To uncover underlying motives and beliefs I frequently used probing as a technique. This was of some concern to a few representatives from the organisations, because they could no longer solely communicate the views of their employer. When I assured them that I was interested in their personal thoughts on the issues everyone was happy to speak their mind, but I feel the responsibility to clarify the views of the respondents do not necessarily represent the official views of their employers.

Sovereignty and Asylum Restrictions

This first findings chapter sets out to describe the asylum system and to explain some of the reasons for the recent restrictions in asylum policies. The issue of sovereignty is of particular relevance to understanding restrictions. While the asylum system is inherently based around the protection provided by sovereign states, the same state sovereignty is also the encumbrance to the universal right of freedom of movement. Or in other words, 'the ineffable fault line in modern times for the positing of such a freedom has been the primacy, prerogative and presumptive sovereignty of territorially defined ("national") states' (De Genova 2010: 33-34). The chapter begins by briefly introducing the Norwegian political structure.

The Norwegian Political and Asylum System

In the democratic monarchy of Norway three main elements form official state power. *The Storting* (Parliament) passes new – and amends existing – legislation, determines budgets, and controls the government. *The Government* is responsible for executing the decisions made by the Parliament, and *The Courts* are in charge of upholding jurisdiction (Government.no n/d).

There are 169 representatives that make up the seven political parties that currently constitute the Norwegian Parliament. These parties include The Labour Party (currently 64 seats), The Progress Party (41 seats), The Conservative Party (30 seats), The Socialist Left Party (11 seats), The Centre Party (11 seats), The Christian Democratic Party (10 seats), and The Liberal Party (2 seats) (Stortinget 2011).

Since October 2001 Norway has had a coalition government. From 2001 to 2005 The Christian Democratic Party ruled with The Conservative Party and The Liberal Party, and from October 2005 the Labour Party has governed alongside The Socialist Left Party and The Centre Party in a coalition popularly called "The Red-Greens". Jens Stoltenberg from the Labour Party has been the prime minister for the past six years.

The asylum function is organised within The Norwegian Directorate of Immigration (UDI), which 'is tasked with facilitating lawful and desirable immigration' and which is a part

of the Ministry of Justice and The Police (UDI 2007). Appeals are handled by The Norwegian Immigration Appeals Board (UNE). UNE is also organised under the Ministry of Justice and The Police. If an appeal has been made and the verdict still stands, an asylum seeker may use the regular judicial system to contest the decision (UNE 2011).

Norway experienced substantial growth in the number of asylum claims in the early millennium. The highest was in 2002, with around 17,500 asylum seekers. After introducing several restrictive measures to control the asylum numbers, the amount of claims quickly decreased in the years that followed. In 2007 there were only 6,500 asylum claims, but this rose to 14,400 in 2008 and 17,200 in 2009. Restrictions were once again imposed, which decreased the numbers to 10,100 in 2010. Currently around 40% of all asylum claims are granted in Norway, including the right to leave on humanitarian grounds. Eritreans, Somalis and Afghans constitute the three largest groups of asylum seekers (NOU 2011:07; UNHCR 2011).

Norwegian Asylum Restrictions

Following the increase of asylum applications lodged in the early 2000's, the centre-right government imposed a number of restrictions to the asylum laws. Notably the restrictions included age testing of unaccompanied asylum seekers who presented themselves as being under the age of 18, and the introduction of a new 48 hour processing system for nationals of certain countries. The 48-hour procedure is a fast-track processing tool that applies to asylum seekers from countries that Norway deems to be safe (including for example Serbia, Montenegro and – prior to joining the EU – Romania). According to The Norwegian Directorate of Immigration it has proved to be a 'highly effective tool for preventing asylum applications from other European countries'. The European Commission against Racism and Intolerance (ECRI), however, has pointed out that this rule is criticised by civil society actors for 'jeopardis[ing] the normal operation of existing legal safeguards. It is reported for instance, that lawyers often do not have more than a couple of hours to appeal against a negative decision issued in this procedure' (Brekke 2004; ECRI 2009: 34; UDI 2010).

More significantly perhaps was the government's rule amendment in 2004 regarding failed asylum seekers. The new regulations removed the rights for accommodation and food

for asylum seekers who had their application denied, and made it possible for the state to put people out on the street. This was facilitated by the Secretary of State Erna Solberg, popularly called “Iron-Erna”, who was behind most of the restrictions between 2001-2005 (Stalsberg 2004). According to Rune Berglund Steen from The Norwegian Centre against Racism and author of a forthcoming book about the Norwegian asylum system, her politics did not necessarily reflect the views of the rest of the government at the time, but she was willing to push policies through because ‘Solberg was a politician who was […] willing to put people out on the street in order to get them out of the country’. This meant in practice that from 2004 ‘UNHCR’s recommendations were no longer leading for Norway’ (Interview 25). Her policies were so controversial that many local politicians refused to follow them for fear of people literally freezing to death. To this her response allegedly was ‘if the local politicians want to make Trondheim into Somalia’s largest city then be my guest, but personally I do not think it is a good idea’ (VG 2004, my translation).

It could be tempting to dismiss Solberg’s policies as a dark few years in Norway’s asylum system, but this restrictive stance has manifest itself and was continued by the current government from 2005. According to asylum expert Steen there were some notable positive initiatives from the “Red-Greens” when they came to power, such as reversing Solberg’s rule to throw failed asylum seekers to the streets and making it easier for families with children to gain asylum if they had been in the country for a long time (Interview 25). However, it was clear that the current government inherited and perpetuated a restrictive attitude, or at least a political climate where they were expected to be tough on asylum seekers, since they also brought in restrictive policies in 2008.

An example of this strict climate can be found in 2009 when The Norwegian Church’s City Mission and The Red Cross opened the first health clinic for irregular migrants in Oslo. Johannes Heggland (interview 5) from the City Mission explained how the clinic had a range of supporters among Norway’s NGOs, and also substantial encouragement from The Norwegian Directorate of Health. However several political parties (namely The Progress Party, The Conservatives and Labour) were very critical of the idea prior to opening. Erna Solberg, who was no longer in government, expected the police to arrest the migrants using the clinic, while Labour’s Secretary of State Libe Rieber-Mohn commented that ‘procedures that help uphold illegal migration are certainly not desirable, and we ask the City Mission to

think about it again before opening a service like this' (Skille 2009, my translation). This is an example of how politicised the Norwegian asylum climate has become. Although respected institutions such as The Norwegian Medical Association, The Norwegian Psychological Association, and even as mentioned The Norwegian Directorate of Health were supporters of the health clinic, the political parties still treated it as an "asylum issue", rather than a health issue. It also shows how the Labour government was afraid of anything they believed would prolong the length of time irregular migrants stayed in Norway, even if it entailed treating serious health issues.

From 2007 to 2008 the number of asylum applications more than doubled and once again the government felt the need to restrict its policies. After Holland, Norway experienced the biggest growth in Europe, and a wide range of policy restrictions were suggested and implemented in reaction. According to the Norwegian government the restrictions were necessary in order to decrease the numbers of asylum claims, but also to stop Norway from receiving a disproportionate amount of Europe's asylum seekers. Moreover, the government believed that how Norway's asylum policies were perceived comparative to other European countries', seemed to have a substantial pull effect on asylum seekers (Ministry of Labour 2008).

The restrictions that were introduced in 2008 are numerous and wide-ranging. Some of the more controversial is a policy stating that the Dublin II agreements would apply to families with children, so they were no longer exempt from being deported from Norway, and that it would be harder to be granted asylum on humanitarian grounds. In addition more rigorous age assessment for unaccompanied minors were introduced, protection centres in the country of origin would be constructed, and faster processing times implemented for asylum seekers not cooperating with the authorities in determining their identities (Ministry of Labour 2008, 2009; Ministry of Justice and the Police 2009).

When prompted to explain *why* there was a need to implement restrictions Heikki Holmås (interview 11) from *The Socialist Left Party* cited the three main reasons as The Labour Party feeling pressured by The Progress Party and the Conservatives, that it was a question of budgeting and economic factors related to asylum, and also a more broad question regarding how Norwegian asylum politics should be run. He held that the opinion

of the Norwegian public regarding asylum policies is that Norway is certainly not too lenient, and owing to instances of the media writing that the 'situation is out of control' people are expecting measures to be taken to reduce the number of asylum seekers coming to Norway. Here it seems appropriate to point out that Holmås, and almost every other person interviewed, maintained that there was a huge discrepancy between public opinion on asylum, depending on whether statistics or individual cases were referred to in the media. People, including politicians from all the parties in Parliament, were substantially more positive to "asylum" when the media highlighted cases about well integrated families that were in danger of being sent out of the country, in contrast to when the media only brought up issues relating to numbers and flows.

Holmås also explained how the two other political parties in government – *The Labour Party* and *The Centre Party* – have internal disagreements regarding asylum issues. This is also the impression I was left with after interviewing Lise Christoffersen from Labour, who came across as a person with less stringent views than her party. On the need to implement the 2008 restrictions she said, for example, that there was a great number of people that claimed asylum and were rejected. However, she mentioned that the numbers of asylum rejections has remained fairly stable, meaning that the restrictive measurements were not effective. She thought that the government were not evaluating the intended effects of their restrictions well enough, and wanted to follow up on this issue (interview 11; interview 8).

The 2008 restrictions arose in discussion with most of the interviewees of the various organisations. Disparate explanations were given when asked why they believed the government felt the need to restrict their policies, but most answers pointed towards politicians' belief that asylum issues were important to the public. This is exemplified by Sven Thore Kloster from the *Church of Norway Council on Ecumenical and International Relations*, who believed that the reason for the restrictions was that asylum issues has become highly politicised in Norway. He clarified this by saying there exists a discourse on identity politics in Norway today, which consists of a rhetoric that generates fear. He pointed out that The Liberal Party and The Socialist Left Party did poorly at the last election, which were the two parties that were advocates of more liberal asylum policies. Because of this he thought that politicians believed they could gather votes by being tough and

restrictive on asylum issues. This view was echoed by Jon Ole Martinsen from *Self-help for Immigrants and Refugees* who held that 'the only thing that has empirically produced political success in the form of more votes has been to be restrictive' (interview 4; interview 9).

Steen from The Norwegian Centre Against Racism (interview 25) speculates that the restrictions in 2008 were, similarly to those in 2004, driven by certain politicians. Norway's Prime Minister Jens Stoltenberg is cited particularly by several respondents as the principal architect of many of the restrictive measures taken in the latter years. Steen suggests that there are people within Labour who want a more humane approach to the asylum issue, but that Stoltenberg sees it as a ruinous issue where the only way to withstand the pressure from The Progress Party is to be strict. This resonates with the impression of Labour's Lise Christoffersen, who also pointed out that when there are divergences within the party, it is ultimately up to the party leader – i.e. Stoltenberg – to make the decisions. Professor Thomas Hylland Eriksen (interview 26) believes that Stoltenberg's background as an economist, apart from a fear of losing votes to The Progress Party, is a large part of his restrictive view on asylum seekers – that it is a question of economy. Biopolitically this can also be read as welfare chauvinism, where restrictive policies act as a security mechanism to protect the welfare system, which again protects the welfare of the population of the nation-state. What made it possible for the Prime Minister and Labour to get the support of the other two parties in the government with the restrictions, on the other hand, was the complete shift of the The Centre Party's views on asylum. According to Steen The Centre Party had been one of the foremost advocates for a humane asylum politics before completely shifting stance, owing to the people that came to power in The Centre Party. Apparently this was much to the dismay of The Socialist Left, as now The Labour Party had The Centre Party's support for the restrictions. Squire's (2008) writing on the importance of interparty dynamics in shaping asylum policies makes Steen's thoughts very plausible.

Sovereignty

In the interviews conducted the politicians were asked how important sovereignty was for them. All the interviewees responded that it was of high importance. The political advisor for *The Centre Party*, one of the three parties in the current coalition government, responded by saying that:

> 'Yes, […] national sovereignty has strongly influenced Norwegian history since 1814 [when Norway got its constitution] and onwards, and The Centre party has a clear standpoint for national sovereignty, which is the basis of our stance against EU [membership]. National self-government and local democracy are very clear issues of The Centre Party. […] It is grounded in that people have control over their own fate, so the national state has a strong defender with The Centre Party, but there is a rather broad agreement in Norway on that. […] In the population at the moment there is massive support against EU membership [...] around 70%' (Fosli interview 10)

It is particularly pertinent that the idea of being in control of one's fate and EU membership were discussed together. This speaks strongly of the importance that The Centre Party places on sovereignty and may imply that if Norway had joined the EU, the Norwegian people would have less control of their fate. Interestingly however, The Centre Party's Heidi Greni was decisively in favour of harmonising asylum policies on a European level. This was based on the premise that if Norway differ in their asylum policies, and make them more lax, it would increase the pressure on Norway. This demonstrates a highly protectionist view of the Norwegian nation state, where a paradoxical pick-and-choose type of situation occurs; The Centre Party is clearly against EU membership because it will decrease Norway's national sovereignty, yet are clear supporters of supranational cooperation when it comes to the asylum system. It can be postulated that The Centre Party sees European cooperation on asylum issues as a biopolitical technology that protects Norway from an increase in asylum numbers.

Responses from the Centre Party were significantly more sceptical towards asylum seekers than responses from the representatives of the two other parties in government. However, the response from Christoffersen from The Labour Party was in turn more positive

towards asylum seekers than her party is in general, and she explained how she was frequently expressing her views within the party. This shows that there are not only major differences in the views on asylum between the coalition parties, but also within the parties. This was also expressed by other politicians, as well as representatives from non-governmental organisation.

Even though the respondents all saw sovereignty as a vital issue, there were substantial differences in how they viewed multinational agreements and Norway's relationship with Europe. Heikki Holmås from The Socialist Left Party held that they are against the Schengen agreement for several reasons, but since Norway is already a member of Schengen, and will most likely not abandon it anytime soon, they want to use that membership to strengthen the rights of asylum seekers in Schengen/the EU, for example through the European Asylum Support Office. Furthermore he sustained that even though sovereignty was an important issue to him, respecting universal human rights and international conventions, such as The Refugee Convention, was even more important. 'I am in favour of sovereignty, but I am rigorously in favour of not sacrificing fundamental rights on the altar of short term changes in people's perceptions' (interview 11).

Unsurprisingly this view differed substantially from that of The Progress Party's Per-Willy Amundsen, the party ideologically farthest away from The Socialist Left Party among the members of the Norwegian parliament. Amundsen was more adamant about the importance of sovereignty. Although being against Norway joining the European Union, he thought it was very important that Norway helps strengthen the EU's external borders; a view that can be likened to that of The Central Party's representative. He also held that Norway needed to strengthen its own borders. Commenting on the UNHCR's criticism of the treatment of people at Trandum detention centre, which is intrinsically linked to abiding the 1951 UN Refugee Convention (UNHCR 2009), Amundsen said that:

> 'The UN's High Commissioner for Refugees can criticise as much as he wants. If his views […] were upheld then it would be seriously bad in Europe. Because there are no limits to the amount of, so called, refugees he feels Norway and other European countries should accept. So the *last* person I would listen to is UN's high

> commissioner. I consider that what he is saying is politics and far into the sphere of politics, and that is not his task' (interview 6).

Sovereignty is therefore for Amundsen, in contrast to The Socialist Left's Heikki Holmås, more important than international conventions when it comes to asylum and refugee issues. This is also in contrast to The Progress Party's opinion of multilateral trade agreements, where his colleague Ulf Leirstein viewed trade agreements as decidedly important for Norway (interview 7).

Returning to the concept of governmentality one can clearly see how The Progress Party wants to increase what they see as good flow of goods and services (and also highly skilled labour migration), while at the same time minimise the bad flows; asylum seekers and refugees. It is worth noting however, that during the interviews it was only members of the Socialist Left Party and The Christian Democratic Party who expressed views on asylum substantially more liberal than the other parties. This is essential to understanding the Norwegian asylum regime, because it shows how asylum seekers can be constructed as a threat to the Norwegian people's existence and how this construction can be used to gain political advantage (Zembylas 2010). Additionally, research has shown that there is a difference in the number of refugees Norway accepts based on which party, or coalition of parties, are in government (Gudbrandsen 2010). Considering The Progress Party is the party with the second highest number of representatives in parliament, and substantial public support, it is easy to see how The Labour Party, Norway's biggest political party, may feel threatened and pressured by The Progress Party to adopt strict policies.

It is perhaps not surprising that sovereignty is important to Norway's politicians, considering they are trying to govern a specific territory with clearly marked borders. However, perhaps in this globalised age sovereignty becomes an even more important issue for politicians. As Ó Tuathail writes about the term '*the modern geopolitical imagination*':

> 'One of its most distinguishing features is 'a state-centric account of spatiality' characterised by three geographical assumptions: first, that states have exclusive sovereign power over their territories; second, that 'domestic' and 'foreign' are separate and distinct realms; and third, that the boundaries of a state define the boundaries of 'society'. Modern geopolitics, according to this logic, is a discursive

> formation, which privileges sovereign states, bordered realms and distinct territorially delimited societies' (1998: 17).

What distinguishes the current situation from this modern geopolitical imagination is that we have now advanced to a post-Westphalian world. In this globalised world state sovereignty is no longer as strong as it has been, since we have now entered into postmodernity where geopolitics has become a

> 'new moment in the relationship of geography to power, a new discursive formation concerned with the problems generated by the breakdown of the Westphalian model (state implosion and failure), the globalisation of economies and the advent of a 'borderless world' in many domains and, finally, the emergence of a new 'global' category of threats, dangers and risks associated with globalisation […]. In contrast to a modern geopolitical imagination dominated by state-centric spatiality (bordered, sovereign, territorially delimited states) the postmodern geopolitical imagination grapples with borderlessness, state failure, and deterritorialisation' (IBID: 18).

As state sovereignty becomes weaker, the need for those in power to show that they are still in control is likely to become stronger. If there exists massive pressure from the public, the media, and the political opposition to tighten borders, then the feeling of having to be in control will only increase. This is specifically the case in the globalised post-9/11 risk-society, where discourses of national security have proliferated. As asylum seekers are Othered as a threat, to the cultural cohesiveness and the economies of nation-states, the more imperative is the need for nations to assert sovereignty and restrict asylum policies. However, what we seem to be seeing is a new form of sovereignty where the dynamics of globalisation is causing nations to increasingly cooperate on security issues (Acharya 2007). Where this ties in with Norwegian policies is the increased co-operation with the EU on asylum issues. Since Norway cannot control the flow of labour migrants – which constitutes a substantially larger part of Norway's immigrants than asylum seekers – from the EU/EEA, it will use the asylum system as a migration control mechanism. Obviously there is also a related political economy question here, and this is considered later. A great example of a form of interstate cooperation is the use of Eurodac, discussed in the next chapter.

What has become clear in this chapter is that the last decade's asylum restrictions have predominantly been a combination of individual politicians' need for a total control of Norway's borders, and a transferral of this restrictive culture to the next government. Interparty dynamics is also another vital factor, where Labour feels the need to be strict in order to not lose voters to the Progress Party. Most importantly it has been discovered that a modern geopolitical imagination still seems to be dominating thinking of most of the politicians interviewed, where concepts of sovereignty and strong borders are apparent, while at the same time advocating policy harmonisation and trade agreements.

Discourse, Media Representations and Biopolitics

This chapter will determine how Norway's asylum system is a part of its biopolitics, and link this to the public debate surrounding identification and risk. It will begin by explaining how Eurodac can be used to maximise the welfare of the Norwegian population, before illustrating how asylum seekers constitute a risk that needs to detained. Finally the chapter will analyse the importance of the Norwegian media in shaping attitudes towards asylum seekers.

The Biopolitics of Eurodac

Norway's asylum restrictions are not unique. There has been a trend for many European countries to introduce stricter asylum policies in recent decades, particularly following the 9/11 attacks. As asylum seekers are increasingly labelled as unwanted migration and associated with discourses of crime, governments have viewed them as a risk to be controlled. Norway's policies must therefore be seen in relation to this, as Norwegian politics does not exist in a vacuum, as many interviewees pointed out (Bale 2008; Bosworth and Guild 2008; Hatton 2009). It is beyond the scope of this dissertation to detail the restrictions of European countries, but it is necessary to point out a pan-European technology, Eurodac, which has been introduced in order to harmonise EU policies and which was discussed in several interviews.

European Dactyloscopy, or simply *Eurodac*, is one of the major innovations in the European asylum regime, which is the European database introduced in 2003 as a part of the Dublin convention. It is a biometric database containing up to ten fingerprints of each asylum seeker that claims asylum in an EU country (plus Norway, Iceland and Switzerland). The premise is that if an asylum seeker has previously claimed asylum in a country that is part of the Dublin Convention, he or she cannot claim asylum in another EU country. If a member country finds the asylum seeker's fingerprints in the Eurodac database the person may be sent back to the country where the asylum claim was first registered (Europa 2010; Houdeau 2009).

Since 9/11 scholars have posited that we now live in a globalised "risk society" where one is never completely free of risks. Aradau and Van Munster (2007: 91) write that through a governmental approach to security – explained as 'the social practices that attempt to shape, guide or affect the behaviour of persons' – one needs to look at the technologies used to combat risk. Increasingly these technologies involve the use of geosurveillance, where individuals and groups' geographical activities are monitored, such as through the use of Eurodac. Eurodac can be thought of as a geosurveillance mechanism that operates in the nexus between the Foucauldian terms of discipline and biopolitics. Eurodac attempts to discipline asylum seekers, as individuals and a group, into docile bodies that behave in a way beneficial to the European Union.

Crampton (2007) theorises that modern societies are inherently biopolitical because they operate on the premise of statistics and knowledge about the population, in addition to the territories in which they reside. This is in contrast to when nation-states were governed by a sovereign with absolute power over their territory. Moreover he postulates that a biopolitics of fear is driven by dividing practices, geosurveillant technologies, and the risk based society. By dividing practices Crampton (IBID: 395) refers to the creation and constant reproduction of an 'array of divisions between "us" and "them". […] Those who promote these divisions, whether governments or local actors, wish to establish certain kind of power-knowledge relations with the "others" in question'; a fundamental factor of governmentality.

Eurodac is a perfect example of a mechanism that embodies the biopolitics of fear, since it is a geosurveillant technology that operates in the (post 9/11) risk society. Schuster (2011b: 1393) posits that Eurodac and Dublin II may not 'achieve their putative goals (of distributing the asylum "burden" more equitably [and turning asylum seekers into docile bodies]) but instead turn refugees into "illegal migrants"'. This is a serious and unwanted consequence of Eurodac, as it further reiterates the discourse surrounding asylum seekers and illegality, and also directly criminalises them. The result may be a division between asylum seekers and "us", where the asylum seeking and criminal Other poses a threat to the populations of the Dublin Convention's member states. Considering the Norwegian asylum climate certainly is not operating independently of Europe's – especially since Norway is a

part of Eurodac – the discourses surrounding asylum seekers on an aggregate European level will likely impact Norwegian politicians' views on the issue.

Irfan Qaiser (interview 22) from Norwegian People's Aid highlighted another unwanted factor of Eurodac and similar surveillance and identification systems which they were 'very sceptical towards'. He pointed out that not only do people go to great lengths to escape these mechanisms, but because of this they may be linked to other crime surveillance databases.

Drawing on Bigo one may label Eurodac one of the technologies that constitute the *Ban-opticon* of European migration policies. Referring to the Panopticon's mission of self-regulation, the Ban-opticon involves the dispotifs that seeks to control only certain people, and that:

> 'the surveillance of everyone is not on the current agenda but that the surveillance of a small number of people, who are trapped into the imperative of mobility while the majority is normalized, is definitely the main tendency of the policing of the global age. […]The Ban-opticon is then characterized by the exceptionalism of power […], by the way it excludes certain groups in the name of their future potential behaviour (profiling) and by the way it normalizes the non-excluded through its production of normative imperatives, the most important of which is free movement (the so-called *four freedoms of circulation of the EU: concerning goods, capital, information, services and persons*)' (2006: 134, my emphasis).

When Bigo refers to the 'four freedoms of circulation' we can draw a direct parallel to Foucault's writing on territory and security. While the power of sovereignty can be said to capitalise a territory and the power of discipline structures a space, the power of security is the mileu that has 'a good spatial layout' that ensures a flow of 'circulations: […] of ideas, of wills, and of orders and commercial circulation' (Foucault 2009: 15). Exemplified in the town planning of Nantes, France he writes that in order to create this mileu, one needs surveillance

> 'since the suppression of city walls made necessary by economic development meant that one could no longer close towns in the evening or closely supervise daily

> comings and goings, so that the insecurity of the towns was increased by the influx of the floating population of beggars […] murderers and so on' (Foucault 2009: 18).

Applied to the European asylum situation this means the surveillance of asylum seekers through the Eurodac database, regardless of its political justifications, is effectively a biopolitical dividing practice, Othering them the opposite of the normatively preferred *homo economicus*, or its goods and services, in order to uphold the power relations the EU feels are necessary to defend itself from the foreign bodies of the asylum seekers. This is deemed necessary from a historical perspective because the internal walls (borders) of the EU/Schengen area have come down, in order to allow for the flow of goods, services and desired travellers/migrants. Considering that Norway's politicians are afraid of signalling to the world that it is easier to gain asylum there than in other European countries, the security apparatus of harmonising EU policies is a biopolitical security mechanism of Norway's governmentality.

Norway and ID

A discussion of Eurodac also invokes questions about the problematics of identification and asylum seekers. Eurodac gathers statistics and is one of the myriad of tools which helps nation-states minimise risks to its population. However, as Malloch and Stanley point out:

> 'asylum seekers defy calculations of risk as, at first glance, they are "unknowable", "ungovernable" and thereby "dangerous". […] [A]sylum seekers represent a "self-selected", paperless, rootless and shifting force. The lack of official information and documentation on asylum seekers make them a group confirmed as implicitly dangerous, […] their unknown attributes and backgrounds suggest a risk, a liability that has to be secured' (2005: 54).

The above quote is frequently demonstrated in Norway's attitudes and an example can be found in asylum seekers without travel documents who have sanded the skin off their fingertips in order to destroy their fingerprints. In order for Norway to establish their identities they will be arrested and contained, for up to six weeks, until the skin is healed and their fingerprints can be taken (Meisingset 2008). Statements from the leader of

Norway's biggest police union, Arne Johannessen, point to the attitude towards asylum seekers without ID papers. 'Criminal asylum seekers are an enormous problem […] In 2009 alone 18 000 asylum seekers without ID will steal, rob, use violence and deal drugs'. In the same article he also distinguishes between 'real' asylum seekers and criminal ID-less asylum seekers and says that 'Denmark has solved the problem, there those without ID are put in detention' (Politiets Fellesforbund 2009, my translation). Considering how detrimental detention can be on a person's mental and physical health (see for example Coffey et al. 2010; Ichikawa et al. 2006; Silove et al. 2000), suggesting this as the main security mechanism stands as a testament to the complete lack of ethics and norms in the discourse on asylum seekers, and clearly illustrates Malloch and Stanley's point. The article, published on the police union's own website, demands that the politicians substantially increase funds for the police, in order to combat this problem which 'takes enormous amounts of resources from the police'. It is clear that Johannessen is trying to increase funds for his union members by discursively labelling asylum seekers without identification as a massive societal problem that needs to be contained. Brynjulf Risnes, Maria Amelie's lawyer, specifically pointed out that the police have a vested interest in overemphasising problems because they want resources (interview 22). He declared that the major issue with this occurs when politicians and the media use the police's own statistics as their main sources.

Asylum expert Rune Berglund Steen (interview 25) also commented on this issue, and the Labour's party 'enormous focus on ID problems', which according to him has been a 'catastrophe for the politics on asylum, bordering on idiocy when it comes to handling the public debate'. He mentions that a much repeated argument from Labour, for about a year and a half leading up to the 2009 elections, was that nine out of ten asylum seekers arrive in Norway without travel documents. Whilst agreeing that this might be correct, Steen points out that there are plenty of other identification documents a person might possess, and that according to The Norwegian Directorate of Immigration in fact 93% of asylum seekers can establish their identity. This is confirmed by the newspaper *Klassekampen* as well as UDI's director Ida Børresen, who stated that 'there is absolutely no reason for being suspicious towards nine out of ten asylum seekers for wanting to hide their identity. We have to continuously fight against this notion that more than 90 per cent of asylum seekers are crooks' (Brandvold 2009). The statement from Labour's parliament member Jan Bøhler that

only five to ten per cent of asylum seekers have identification papers, and that 'people who hide their identity never have honest intentions' shows clearly how asylum seekers are Othered as a dangerous risk (Hultgreen 2009, my translation). That this notion of asylum seekers has manifest itself in people's perceptions was demonstrated when I interviewed The Centre Party. Halvor Fosli, a political advisor for the party, said that 'at least until recently about 90 to 95 per cent of all registered asylum seekers were completely without identification papers, and partly also with sanded down fingertips' (interview 10). If a political advisor for a political party in government can be so misinformed almost two years after the director of The Norwegian Directorate of Immigration completely opposed these claims, then it is very likely that the general public will be equally as misinformed.

Media Influence

All the politicians interviewed maintained that the Norwegian media has a substantial role in the Norwegian society by setting the agenda. Moreover they admitted that the media therefore indirectly had great power also over their parties' policies. As Lise Christoffersen from Labour put it:

> 'Media has lots of power. Sets the agenda, draws the picture, forms and influences the opinion. The popular opinion eventually becomes a part of the political system since we have an election every four years. Then you have a direct effect in the election process and […] if we go back to how we started the interview that the media draws a bit of a wrong picture of the asylum policies' size and significance in Norway then that can quickly have a negative effect. […] And media has their own agenda, they intend to make money, increase circulation, sell based on their front-page. And that is a bit scary, when it is that type of […] increase profits and increase circulation-thinking that sets such forceful premises in an area that is *so* sensitive and that means *so* much to the individuals who are a part of that system. [...] [I]t is important to show [positive] things. In that respect I think the national media are not good enough, there is *way* too much focus on conflict issues' (interview 8).

Aftenposten, one of Norway's biggest newspapers, agrees with Christoffersen that the media has a general tendency to focus on the negatives to the detriment of positive aspects

of migration (Aftenposten 2011b). That politicians perceive the media to be so powerful is of significance because of the way asylum seekers are portrayed in the media. Norway's Directorate of Integration and Diversity (IMDi) annual report of 2009 ('Immigrants in the Norwegian Media') was dedicated specifically to the Norwegian media discourse surrounding immigration, and paints a clear picture of how prevalent the topic of migration is in the Norwegian media landscape. Researchers searched through hundreds of Norwegian media channels and found that the words 'asylum seekers' were mentioned 25 631 times in 2009. In contrast "labour migration" was only mentioned 1390 times. Worth mentioning also is that "islam/muslim" were mentioned 77 670 times, almost as much as Norway's Prime Minister "Jens Stoltenberg" was mentioned, demonstrating how high migration issues are on the Norwegian media agenda. Muslims, particularly Somali – which constitutes one of the largest groups of asylum seekers – are also subjected to the highest level of negative focus (IMDi 2010). Regarding asylum seekers specifically some of the researchers behind the report point to a study done by Statistics Norway which showed that an increased amount of people thought the asylum policies should be more restrictive. The researchers rhetorically ask whether there is a connection between opinions regarding restrictions and 'between increased media coverage in 2009 of the increase in the number of asylum seekers and problems relating to asylum seekers and refugees' because '[l]imited personal experience probably increases the media's influence, as does the number of media stories about a topic' (IMDi 2010b: 11). Moreover, they posit that the media's focus on the increases in asylum numbers might correlate to people's desire for (even more) restrictive policies. It is pointed out that 'asylum flows' was a term that was continuously repeated, and that at the same time there was a big focus on asylum seekers involved in crime. In Statistics Norway's latest report from 2010 on Norwegians' attitudes towards immigration and immigrants, it is highlighted that 46 per cent of the respondents think it should be more difficult for 'refugees and asylum seekers to obtain a residence permit in Norway "compared to today"', whereas 42 per cent think that access to permits should remain unchanged. This is a dramatically high number, considering that 'today' is after the 2008 restrictions, and indicates that most of the interviewees for this dissertation might be right in believing that generally Norway's population is quite sceptical towards asylum seekers (Blom 2010; IMDi 2010a, 2010b).

The IMDi study (2010a) further demonstrates how the media shapes people's opinions and attitudes especially on the subject of immigration and refugees, because of the limited interaction most people have with asylum seekers. This also give weight to the words of a majority of those interviewed, that people react negatively when there is a strong focus on numbers and "flows", but that people show more solidarity with the well-integrated asylum seeker who is about to be deported. That the media might shape opinions on asylum seekers is a view also echoed by Zapata-Barrero who writes that:

> '[i]n hermeneutic terms, immigration is an interpretable reality where perceptions determine attitudes and behaviour. […] These attitudes have a practical component for those who translate data. It tells them if there is support for specific policies.' (2009: 1101-1102).

'Those who translate data' in the asylum situation realm are politicians (as well as organisations and other actors). That 'immigration is an interpretable reality' gives validity to the argument that the politicians' perceptions are of significant importance when forming policies. Demonstrated here is thus a triangle where Norwegian politicians perceive, quite rightly, the great power the media holds over public opinion, which in turn influences political policies.

A white paper presented by the Office of the Prime Minister to the Norwegian Parliament confirms media influence on politics. It is identified that single issues have become more important, consequently turning the politics as a whole away from an emphasis on long-term strategies and principles, to a politics focused on current affairs (Statsministerens kontor 2005).

In this chapter it has become clear that biopolitical technologies are used by Norway in order to restrict access for asylum seekers, while at the same time increasing positive flows. Moreover the public discourse surrounding the perceived risk of unidentifiable asylum seekers can be seen to serve the interests of politicians and the police. Finally the media's excessive focus on asylum seekers can potentially be a factor shaping migration policies. In the following chapter the case of Maria Amelie will be examined.

The Case of Maria Amelie – Evidence of a Biopolitics of Fear

In the last findings chapter I will attempt to situate the Maria Amelie case within the Norwegian asylum system. I will investigate how perceived Norwegian national identity may have manifested itself in asylum policies and how Maria Amelie was considered to be a high value migrant due to her cultural capital and physical similarity to many Norwegians. The chapter will conclude with a discussion of how Norwegian citizenship laws can be seen as a technology that attempts to defend Norway's sovereignty in a globalised age.

Public Attention and Popularity

The Maria Amelie case was unprecedented in Norway's history. Never before had a single issue related to immigration received anywhere near as much public attention. Certain people interviewed even held that it was the single news story with the most publicity ever in Norway. The interviewees for this dissertation, including both politicians and representatives from organisations who knew Maria Amelie personally, had many views as to why her case became so big. That she had created a public voice for herself – by writing her book and participating in television programs – prior to being arrested, that people could identify themselves with her as an educated and intelligent person, and that she became the pretty, *white* face of a previously very anonymous group of people in the Norwegian society were explanations that were repeatedly cited. Maria Amelie's lawyer Brynjulf Risnes (interview 12) also believes that the fact she was an arrested author had a lot to do with the media interest, as the press has always been eager to defend persecuted authors. That the arrest happened outside The Nansen Humanistic Academy in the official Norwegian "Nansen Year" made it more symbolic still, and several held that it was a foolish place to arrest her. However awkward her arrest was, the spectacle of enforcement can be read as an attempt by the state to assert its sovereign power in the face of the unwanted biproducts of globalisation. Further, Risnes thought that the Norwegian analogous media landscape was part of the reason her case became so popular. 'NRK, TV 2, Dagbladet, VG, Aftenposten; they are all competing within the same media landscape. Then, when there is one undeniable headline case they will just compete within that same case', which leads to an enormous amount of editorial resources dedicated to that one case. He pointed out that the biggest newspapers sent reporters to both Moscow and North-Ossetia in order to find

out more about her family's past, illustrating that the media did not hold back in their quest for further knowledge. Risnes, and several others also pointed to Maria Amelie's extraordinarily powerful network of friends and contacts, who on their own initiative arranged public demonstrations and other support measures, as a reason to why the case became so big.

Per-Willy Amundsen (interview 6) summed up her case by stating that it was 'from day one an exceptional media stunt, put together by the left wing, politicians on the left and so-called immigrant organisations […] which had one goal; to liberalise Norway's asylum policies'. This idea that it was some kind of conspiracy was commented on and denied fiercely by several interviewees. However, Norway's "sans-papiers" style campaign, *Papirløse*, was by pure coincidence launched just before her arrest, which obviously gave leverage to the campaign. Both Brynjulf Risnes and Maria Amelie's boyfriend, Eivind Trædal (interview 12; interview 23), asserted that they did not contact any journalists, but that following the arrest journalists repeatedly telephoned asking for information and quotes. Risnes said he agrees the case was blown completely out of proportions, but that Amelie should not be held accountable for the massive media attention, which was out of her control. A week after her arrest the public support for Maria Amelie staying in Norway had dropped from 60.6% to 40.4% (Viken and Sperstad 2011). Both Trædal, Risnes and most others interviewed believed the reasons for that was that people simply got bored of it dominating Norway's biggest media channels.

Kyrre Nakkim, head of politics and society at the Norwegian broadcasting corporation (NRK), also believed the public got tired of the story, but adding two more explanations. He said that after a week the government's arguments got through to more people, and also that 'Maria Amelie herself could never completely argue as to why she had a need for protection' (interview 3). This statement is interesting since Trædal points out that she never requested protection in her asylum application in 2010, but that she asked for citizenship on humanitarian grounds. According to him it was the Prime Minister who kept focusing on the issue of a need for protection, which made it very hard for her to communicate her original arguments for staying. When she was then unable to explain her need for protection, many people felt deceived and her popularity dropped. The Prime Minister received sharp criticism (and praise from the right-wing) for how he handled the

situation. The leader of The Liberal Party described his policies as even more right-wing than Silvio Berlusconi's, and that during the Parliament's question time they met 'stone, not a heart'. Stoltenberg was also accused of misleading the Parliament by a law academic who dismissed the Prime Minister's statement that Norway's laws do not allow for time spent illegally in Norway to count towards reasons for the right to leave on humanitarian grounds (Flydal 2011; Larsen et al. 2011). Asylum expert Steen's contention that Stoltenberg's disinterest in fighting for a more humane asylum system may be substantiated. Moreover one may see how Labour representatives such as Lise Christoffersen have relatively little power to assert their more liberal attitudes, as long as it is the party leader who has the final say.

Regardless of these reactions opinion polls in the aftermath of the deportation showed that the Norwegian public believed that Stoltenberg handled the situation well. 49% believed he had done a good job, while only 20% thought he had handled it poorly (Kvaale and Lode 2011). Bearing in mind that a large proportion of the Norwegian public wants stricter asylum policies, this result may not be very surprising. Not so clear however, is *why* the Norwegian people want restrictions.

The majority of the people interviewed believed that generally the Norwegian public had, to a smaller or lesser degree, a latent fear of the Other. Proving whether this is true or not is not simple, but IMDi's annual report for 2011 on the attitudes of Norway towards migration shows that people generally have become slightly more sceptical of migrants over the last five years (Aftenposten 2011b). Perhaps the most interesting things to be extracted from the report, however, are that about 51% of the respondents believe that immigrants should attempt to assimilate to Norwegians, 31% think most immigrants abuse the Norwegian welfare system, and 36% believe most migrants constitutes a risk to society (IMDi 2011, Statistics Norway 2010). Of course, one should never read too much into numbers where people's definitions of things such as "abuse" and "risk" are highly individualised, but they do paint a grave picture of a large portion of Norwegians who are likely to consider immigrants in general to be a threat.

The fact that Maria Amelie has a master's degree was a factor that contributed to her popularity, according to most of the people I interviewed. Many pointed out that part of

the discourse after her arrest was that she was a productive person that Norway "needs". This raises questions about economic thoughts and the asylum system. Of course, an asylum system will always be tied to questions of costs:

> 'If […] contemporary structural and political constraints on industrialised states make asylum and refugee protection scarce resources, then optimising the allocation of the scarce resources available for refugee protection becomes an issue of normative centrality with significant implications for the *welfare of* both *citizens* and refugees. Indeed, 'efficiency' is also an important concept to engage with because, like the language of 'security', it is central to the language of state policy and invokes *raison d'état*, justifying and legitimating action on the basis of its connotations, irrespective of its conceptual ambiguity' (Betts 2006: 149, my emphasis).

Apart from the clear link to biopolitics through the welfare of citizens, Betts' notion of 'action' can be applied to the Norwegian context through the desire of the representatives from The Progress Party and The Centre Party to focus on providing protection in regions of origin (interview 6; interview 10). That you could help many more people in their home regions for the same amount of money was used as an argument. This dissertation shall not try debate this stance, since it is a highly complex issue that needs to be dealt with in depth, as in Betts' comprehensive article. What is of interest to this dissertation however, is that this argument was used by two of the representatives with the most restrictive views on asylum. This may not come as a surprise, as 'concepts such as 'efficiency' remain far more politicised than normative, being discursively invoked to legitimate a politics of exclusion' (Betts 2006: 148).

Norway has already started to construct a protection centre for underage asylum seekers in Afghanistan, resulting from the 2008 restrictions. This centre is intended to host underage Afghanis deported from Norway, or children who will be offered a place before even leaving Afghanistan to seek asylum in Norway. It is reasonable to believe that the motivation behind this centre is based on Norway's interests in protecting its population, rather than protection of fleeing children, taking into account the government, the opposition and the Norwegian publics' generally restrictive stance on asylum. This centre has been sharply criticised for not guaranteeing safety for the children by a range of

organisations, including the UN and the Council of Europe. Similarly the Secretary General of Save the Children in Norway recently wrote an article, signed by eight other Norwegian organisations, pointing out that a new ruling by the European Court of Human Rights holds that Norway cannot let its own national interests determine how to treat underage children in need of protection, who have international laws and conventions to back them up (Hansen 2011; Wang 2011). The case was coincidentally led by Maria Amelie's lawyer Brynjulf Risnes who – representing a mother that Norway wanted to deport – did not seem optimistic beforehand that European Court would rule in his client's favour, considering its general tendency towards allowing nations a lot of scope to treat deportations as a sovereign issue (interview 12). This ruling proves the gravity of Norway's practice, and also gives authority to my argument that Norway's asylum policies can be viewed as a dispositif to maximise the welfare of its population, unfortunately often to the detriment of the Othered asylum seeker.

Citizenship, Ethnicity and Post-Politics

Although no-one opposed the safe return of refused asylum seekers, the organisations I interviewed asserted that the focus on deportations in Norway's asylum discourse is too strong. The issue of deportation is fundamentally inherent to the case of Maria Amelie, who was deported from Norway to Russia. Tormod Bakke from *Peoplepeace,* an organisation that deals solely with issues of deportations, holds that there is not enough openness surrounding deportations out of Norway. He also believes that Norway has a moral obligation to ensure people are not deported to countries where they may be subjected to torture on arrival, something that may have happened on several occasions according to several of the people I spoke to. Amelie's lawyer raised the issue of citizenship in relation to deportations. He pointed out that when someone is a citizen of Norway that person cannot be deported. This is relevant because Norway in 2005 decided against, (only The Socialist Left Party among the parties in parliament was for), allowing dual citizenship for people who wanted to become Norwegian citizens (Lindstad 2005). In the argument from the centre-right Government it was highlighted that citizenship is an implicit contract between a citizen and the state, and that a dual citizenship challenges this notion and sows doubts as to where the person's principal political loyalty lies (Midtbøen 2011). It is further posited that

'a nation's citizenship laws can be read as an implicit expression of national self-representation – or the nation state's definition of itself (IBID: 544, my translation).

If, from Norway's point of view, political loyalty is prevented by dual citizenship then this might be a sign of the post-modern geopolitical imagination coming to fore, as Norway's politicians are trying to defend its sovereignty in the days of globalisation through restrictive citizenship laws. We may here see a dialectical relationship where they have kept the modern geopolitical imagination of a very strong and territorially defined nation state, yet are operating in a post-modern context when attempting to protect or strengthen sovereignty. The effect of not allowing dual citizenship, according to Risnes is that there is an increasingly large proportion of Norway's inhabitants without Norwegian citizenship, due to not wanting to give up their original citizenship. Moreover, he noted that since they are not Norwegian citizens they can also be deported if they are convicted of committing a criminal act.

Implicit in 'national self-representation or the nation state's definition of itself' is a question of national identity. Thomas Hylland Eriksen, Professor of social anthropology at the University of Oslo and one of Norway's – if not the world's – foremost experts on ethnicity and identity posited that whiteness is a big factor of Norway's understanding of its national identity, by maintaining that from a Norwegian's standpoint:

> 'You have to be white to be Norwegian. Second generation Poles or Dutch people become *unmarked* Norwegian, even if they continue to have Polish or Dutch surnames. The same thing does not seem to happen with second generation Pakistanis, Africans and so on' (interview 26).

Eriksen did not claim that whiteness was "everything", but that it was a large and under-expressed part of Norwegian identity. When asked if minorities are perceived as a threat to Norway he reiterated: 'yes, very much so'. He also said that knowing the language was integral to being considered Norwegian, and that because of her superb language skills Maria Amelie was rarely thought of as a "foreigner". It is fairly safe to state that to her being white and speaking Norwegian to a mother-tongue standard was a major factor in the Norwegian public's support. By drawing a parallel to the citizenship discourse she therefore implicitly represented Norway by embodying the imagined Norwegian national identity and

Norwegian self-representation (also by being highly educated and intelligent) – therefore deserving to remain in the country legally.

Maria Amelie re-entered Norway April 16th 2011 as a highly skilled migrant after intense public pressure. The Government changed the laws so that she could apply for a visa as a labour migrant even though she had been deported from Norway. The change, often called "Lex Amelie", requires a person to have a job offer in Norway, apply from outside Norway with correct identification papers (which could effectively force asylum seekers back to the country they fled), and possess formal education or training. Although some respondents expressed optimism over the fact that any liberation in policy, no matter how incremental, is a positive sign, everyone agreed that this was a solution that would not benefit the vast majority of failed or non-returnable asylum seekers in Norway today and that it was implemented because the Government felt that it had to do *something*. The technocratic solution to the issue suggests that Norway may be on its way to transforming – or already have transformed – into a post-political society of fear where the opinion and sentiment of the media and general public are privileged, to the division and detriment of the continuously Othered asylum seeker.

In this final findings chapter it has been posited that Maria Amelie's extraordinary popularity, and uncharacteristic story, is a factor of her impressive cultural capital, her whiteness, impeccable language, and her book *Ulovlig norsk*. The solution to her deportation was mainly driven by immense public pressure and fear of losing votes by not addressing the issue. However, we have also seen that a large proportion of Norway's citizens are very sceptical towards immigrants, therefore the amendment of the migration rules must also be viewed as a post-political approach driven by a biopolitics of fear of also liberalising *too* much.

Conclusion

This dissertation has attempted to critically analyse some of the underlying factors shaping Norway's asylum system, specifically the last decade's increasingly restrictive policies; policies which appear paradoxical to the humanitarian nation Norway seems to want to be perceived as internationally. The case of Maria Amelie has been applied to see what it reveals about the system, and why it became an issue so big that the government had to change Norway's laws due to intense public pressure. A Foucaldian lens has been used to explain some of the various technologies which comprise Norway's governmentality in the asylum system.

What has become apparent is that Norway's increasingly restrictive stance the last ten years is primarily based on a deep-seated need to protect Norway's population and territory, as well as an inter-, and intra-political game to win votes. When the number of asylum applicants suddenly rose in the early millennium, the government needed to assert control to secure voters' confidence. The reason why the Norwegian public feels that restrictive asylum policies are so important is because asylum seekers are Othered as a threat to the nation state, due to a myriad of dividing practices and a high level of media attention.

The desire for sovereignty is important to Norway's politicians, and there is evidence of a persistent strong degree of a highly state-centric modern geopolitical imagination. However, Norway wants to simultaneously support the EU; its desire for goods, services and productive and highly skilled labour migrants – good flows – has led to a membership in the European Economic Association (EEA), proving that Norway takes an active part in a globalised world.

Norway is bound by the EEA to accept anyone wanting to move to Norway from the EU/EEA countries. Although Norway has ratified UN's 1951 Refugee Convention, it can still control to a degree who will be granted asylum in Norway. What it cannot control so easily is who will apply for asylum in Norway. The government tries to combat this issue by taking a technocratic approach which utilises numerous dispositifs that attempt to signal to the world that unless you have well-founded reasons for protection; do not come to Norway and attempt to apply for asylum. Some of these dispositifs are sharply criticised by human

rights organisations, showing that Norway's state interests are more important than an interest in protecting the asylum institution.

Maria Amelie became a political subject because she engaged in speech and took agency. Although Russia is a neighbouring country of Norway, her nationality labelled her unwanted in the Othering dichotomies of the neo-liberal European Union. She became a public figure, with white skin colour and fluent Norwegian, and the intense public pressure following her arrest forced the nation-state to treat her as a political subject. Eager to assert its sovereign power the state placed her in detention where she was treated in a way that by all accounts broke Norwegian norms. This is clearly a sign of a state of exception, and stands as a testimony to the potency that irregular migrants have on the security discourse and the threat they allegedly pose to the population. Moreover it demonstrates how she is Othered by Norwegian governmentality in practice; considering Norway used disciplinary power by arresting her for not possessing the technology of a visa/EU passport; in order to assert its sovereign power over Norway's territory.

The political response to her case can be seen as a shift towards a post-political biopolitics of fear in the Norwegian society. The government's fear of losing votes – driven by a media that has shifted the whole political landscape towards a focus on short-term single issues – forced it into opting for a technocratic solution that protected the welfare of the population by allowing her to become a highly skilled migrant that would contribute to the Norwegian economy. She had become a culturally and visually identical *homo economicus*.

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Appendix 1

Post-script

The camps set up outside the Oslo Cathedral by Ethopian and Iranian migrants (see picture on the cover page) were dismantled by the police on June 30th 2011, just over two months after Ethiopian failed and non-returnable asylum seekers set up camps there in order to create a voice for themselves in the public discourse, and protest against their dire situation divested of almost all rights. The argument for the eviction was that the tents constituted a fire hazard, yet when the migrants returned later that day with flameproof tents and set up camps away from the church walls, the police returned and evicted them once again (Buer 2011; Lilleås and Paust 2011; Nilssen et al. 2011; NTB 2011; TV 2 2011a).

This reasoning for removing the abject migrants is a perfect example of Norway becoming a post-political society of fear, categorised by the implementation of technocratic biopolitical dispositifs. The failure of the Norwegian government to create a long-term solution for non-returnable asylum seekers is creating a desperate underclass in the Norwegian society. The almost 40 organisations involved in the *Papirløse* (sans-papiers) campaign are advocating regularisation – as was The Norwegian Directorate of Immigration (UDI) who suggested regularisation already in 2003 – but the government(s) have so far been unenthusiastic.

When I visited the camps in June the residents spoke of an unbearable and hopeless situation. Even though they continued to fight by writing online commentaries, protesting outside the parliament and organising themselves as much as they could, their morale and outlook on the future were very disheartened. The situation was so excruciating for a 20 year old Palestinian boy that on August 25 he set himself on fire outside the UDI. The boy survived, but was left without any post-hospital follow-up care, and is now being taken care of by the members of the Palestinian camp, outside another church in Oslo (Sæther 2011). It remains to see whether the boy's action, which can be viewed through the philosophies of Rancière, makes 'their legal residence status a matter of existential necessity' (Laubenthal 2007: 118).

Inside one of the tents at the Palestinian camp. Photo taken by Sigurd Tvete on June 14 2011.

The Palestinian camp (see photo above) has not yet been demolished, but is a source of annoyance for some. Former long-time leader of the Progress Party Carl I. Hagen visited the camp less than a week before the tragic incident and told the residents that 'you are in the duty to go home, you have no right to be here [sic]'. He followed up by saying that if they did not have the permission to stay at the site, the police should remove them, proving once again how the post-political society of fear operates in a globalised world (TV 2 2011b). If there had been any doubts that the failed asylum seekers truly are the human waste of neoliberal globalisation they were buried by the comment from the spokesperson for the local business association who said that the camp 'is a form of contamination of the public space' (IBID, my translation).

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Appendix 2

Auto Critique

I believe that this dissertation has achieved its goal of uncovering and analysing the underlying thought which shapes the Norwegian asylum system – and to situate the Maria Amelie case within this – to a fairly good degree. However, I quickly realised that there are so many factors that could potentially shape the asylum system that I decided to take a Foucaldian approach, in order to maintain focus and structure.

One of the main things I had set out to investigate prior to commencing the primary research was how political economy ties in with the Norwegian asylum system. I believe that I have achieved this to a certain degree, but that I could have potentially focused more on this issue. Likewise I feel that more emphasis should have been placed on how the Norwegian immigration policies affect failed asylum seekers and irregular migrants, especially by drawing on the interviews I conducted at the camps in Oslo.

The biggest challenge has been to include in the dissertation everything I wanted. By conducting 26 in-depth interviews I had, perhaps, too much material to work with and had to be very restrictive with what I deduced from the individual interviews. I decided to focus on the main trends that I saw emerge, and to analyse these using the Governmentality concept and by extracting some of the most relevant quotes. Unfortunately due to word restrictions I have had to omit many quotes that could exemplify my arguments well.

The analysis of how biopolitical securities such as Eurodac can be used to protect the Norwegian population against the Othered asylum seeker is one of the strongest parts of the dissertation. I have tried to create a clear link between how technologies are implemented, for example through the EEA and Schengen agreements, and why. I believe that I have also managed to analyse how the modern geopolitical imagination of a strong sovereign state with clearly marked borders is challenged by the migratory effects of globalisation.

I wanted to investigate the Maria Amelie case to see how it fit in with the Norwegian asylum system in general. I feel that I have been successful in this task. I did not set out to investigate the many details of her case, but rather use it to contrast with the situation for the many other failed asylum seekers and to find out why the Norwegian government reacted the way it did. I have also been successful in using the case to see how Norwegian thinking about ethnicity relates to Maria Amelie's case and the asylum system in general.

Overall the dissertation managed to achieve what it set out to. It was inevitable that I had to exclude several quotes and themes with such a great amount of raw material. I am however confident that I included the most relevant themes, quotes and academic literature and managed to analyse it through a Foucaldian lens, generating a good insight into underlying factors shaping the Norwegian asylum system.