Failed asylum seekers’ responses to arrangements promoting return: Experience from Norway

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Marko Valenta and Kristin Thorshaug

Return of failed asylum seekers has figured prominently in asylum debates in most European countries. As a result of the high number of failed asylum seekers residing in receiving countries, several policies to increase returns have been launched and implemented. Several countries, including Norway, have increased their return and reintegration support, reduced or eliminated social services, and established some form of return centres. Inspired by Coser’s conflict theory, this article focuses on failed asylum seekers in Norway and their responses to return-promoting policies. It examines the motives underlying failed asylum seekers’ actions and the strategies they employ vis-à-vis State authorities. The article argues that measures based on ’passive coercion’ do not promote return, but rather contribute to conflicts, unforeseen adjustments and a further deterioration of asylum seekers’ living conditions.

Keywords: Failed asylum seekers; conflict perspective, Coser, L., passive coercion, departure centres

In September 2010, 17 223 asylum seekers resided in Norwegian reception centres, of which 3 946 had been finally rejected upon appeals (henceforth referred to as failed asylum seekers). In addition, an unknown number of failed asylum seekers reside outside of the reception centre system. These failed asylum seekers are, according to Norwegian authorities, obliged to leave the country. Yet, in practice, many remain. In most European countries the return of failed asylum seekers has figured prominently in the asylum debate. As a result of the high number of failed asylum seekers remaining in European countries, policies to increase returns have been launched and implemented. Several countries have increased return and reintegration assistance, lowered or removed welfare services to failed asylum seekers, and established departure centres. Norwegian authorities have combined several of these measures (Brekke & Søholt 2005; Hjelde 2010). This article focuses on failed asylum seekers, the departure centre system, and other policies implemented by Norwegian authorities in order to promote returns.

In 2004, Norwegian authorities determined that failed asylum seekers who refused to return to their country of origin voluntarily lost both the right to reside in asylum reception
centres and economic support.1 Through this policy, the government attempted to demonstrate its stricter approach to asylum (Brekke & Søholt 2005). A number of asylum seekers who lost their right of residence in asylum reception centres were, however, difficult to return; partly as a result of being undocumented and partly due to instability in and political reluctance from the countries of origin.

Whilst failed asylum seekers had previously been the responsibility of the central government, the responsibility to provide basic assistance to these persons now fell within the remit of local authorities. However, the policy lacked clarity and failed asylum seekers came to constitute a substantial resource strain on local authorities (Brekke & Søholt 2005). Consequently, in 2005 the government decided to establish departure centres to accommodate failed asylum seekers. These centres were not detention centres in the sense that residents were free to come and go. Services offered were minimal; the low standard was meant to promote return (Valenta et al. 2010).

In the autumn of 2009 we conducted a study of departure centres and other measures implemented to promote return. The study was published as a report in the summer of 2010. At the time of publishing, departure centres again grabbed the headlines as residents rebelled and set fire to the centres, resulting in their subsequent closure. Shortly afterwards, the government notified its intention of abolishing the departure centre system which was to be superseded by new measures and the establishment of return centres for failed asylum seekers. It still remains unclear what structure and content this new system will have.

This article is based on the above mentioned study. In a context in which increasing numbers of European countries have established or plan to establish new measures for failed asylum seekers, including different types of return centres, it is pertinent to question what lessons might be learnt from the Norwegian experience. In the following analysis we draw on qualitative interviews with failed asylum seekers and professionals working in this social field. The overall aim is to explore the perspectives of failed asylum seekers and the strategies they employ, as well as to present experiences with previous and current initiatives towards this category of asylum seekers.

The first part of the article presents previous research on return of refugees and asylum seekers, the theoretical approach adopted, and our sampling and methodology. The second part presents our analysis and findings. Drawing inspiration from earlier research on asylum

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1 Families with children, unaccompanied minors and persons with serious illness were exempted from the new practice. Asylum seekers who chose to return voluntarily to their country of origin and cooperate with the International Organization for Migration (IOM) were also allowed to reside in regular reception centres until departure.
seekers in Norway (Brekke 2004, 2008; Brekke & Aarset 2009; Brekke 2010; Valenta & Berg 2010) and conflict theory (Coser 1956; Collins 1975), we analyse failed asylum seekers’ motives, resources, and strategies adopted vis-à-vis the measures implemented by Norwegian authorities.

**Perspectives on returns of refugees and asylum seekers**

Whilst less than five return programmes existed in Europe in the early 1990’s, there are currently more than 20 programmes in some 20 countries (IOM 2004; Ruben, Houte & David 2009). Concurrently, we see an increasing use of reintegration support in the form of employment promotion, training etc., in the countries of origin, as this is considered to promote a permanent return. Of total returns there are at present fewer assisted voluntary returns than forced returns, however the proportion is rising and return programmes (VAR programmes) are continuously being adopted by more European countries (IOM 2004; Ruben et al. 2009).

Several studies focus on refugees’ and asylum seekers’ responses to return programmes. A substantial Nordic comparative study was conducted on Bosnian refugees in the late 1990s (Schwartz 1998; Ålund 1998). Amongst the issues studied were the refugees’ experiences and responses to a situation characterised by temporariness and the governments’ focus on return. In a study of Bosnian refugees in Sweden, Slavnic (2000) focused on how they coped with the assumed temporariness of their situation. The study demonstrated, amongst other things, that refugees participated in repatriation programmes with the aim of strengthening their connectedness to Sweden, rather than with a view to preparing for a return to their country of origin. Brekke made similar findings in his studies of Bosnian and Kosovo Albanian refugees in Norway (Brekke 2001, 2002). Together these studies aptly illustrate how asylum countries’ politics and reception regimes impact refugees’ lives and integration strategies. The studies illustrate the difficulty of uniting repatriation programmes with refugees’ integration in the asylum countries, as well as the divergent interpretations of return-promoting measures by authorities and asylum seekers (Brekke 2001, 2002).

There are numerous obstacles to effective return measures: failed asylum seekers disappear before they can be returned, necessary identity documents are frequently lacking, and the country of origin can, for economic or other reasons, be uncooperative with respect to the return of its’ citizens (NOU 2004; Folkeson 2009). For example, many refugee producing
countries are hesitant to readmit citizens whose identity is unknown or uncertain. Furthermore, it may (also) be difficult to return persons for humanitarian reasons; either due to vulnerability or because the person has resided for a long period in the receiving country (Noll 1999; IOM 2004; ECRE 2005; Folkeson 2009).

As a result of the high number of failed asylum seekers residing illegally in European countries, a range of measures has been promoted to encourage their return. According to studies of returns (IOM 2004: Ruben et al 2009), a number of European countries have in recent years: (1) introduced or increased the use of detention for persons awaiting return, (2) offered information about return possibilities at an early stage of the asylum process, (3) accommodated failed asylum seekers in special return centres, (4) collaborated closely with the country of origin, (5) increased the reintegration support, (6) reduced or eliminated social welfare benefits to failed asylum seekers and (7) strengthened legal regulations on return. In the following, we classify and discuss some of these measures in light of policies recently implemented in Norway and other (European) countries.

Concerning failed asylum seekers, coercion is often employed alongside return-promoting policies. We can roughly distinguish between passive and active motivating measures to promote return. Active measures of coercion include forcible removal and the use of detention, whilst passive measures encompass those measures which contribute to lowering the standard of living. In some cases, departure centres are designed to strengthen or retain active and passive coercion measures, whilst in other cases the centres are linked to programmes preparing for return. Figure 1 illustrates the dimensions of return promoting measures.
Active and passive measures can also be divided into different forms of *pre and post return assistance* (Ruben *et al.* 2009). In addition to passive forms of assistance preceding return, including information programmes and practical travel assistance, there are measures which more actively prepare) and preceding return support persons who are to be returned. These measures include participation in training and qualifying programmes in Norway, and economic support (Strand *et al.* 2008; Ruben *et al.* 2009). The Norwegian information programme INCOR can, for example, be linked to passive pre-return assistance (for more information about the project, see Brekke 2008). The Danish programme ‘Want2Work’ (see Strand *et al.* 2008) and the Norwegian ‘Home in dignity’ are examples of active pre-return assistance. Both these targeted training and qualifying programmes were offered to failed asylum seekers resident in departure centres (Strand *et al.* 2008; Valenta *et al.* 2010).

Post-return assistance, on the other hand, includes economic support as well as different forms of training upon return to the country of origin. Several European countries have instigated such schemes (Ruben *et al.* 2009). Both the Dutch REAN-programme (Programme for Reintegration or Emigration of Asylum Seekers) and the British VARRP-programme (Voluntary Assisted Return and Reintegration Programme), as well as other British, Danish and Swedish country-specific programmes operated in collaboration with IOM, are examples of post-return assistance programmes (for more information, see Strand *et al.* 2008; Ruben *et al.* 2009; Valenta *et al.* 2010). Several Norwegian funded follow-up projects also belong to this last category (Brekke 2010). For example, the RQN project (Return of Qualified

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Nationals) and follow-up assistance previously offered to asylum seekers returning to Bosnia (Valenta & Berg 2003), and now offered to returning Iraqis, are all forms of post-return assistance. The assistance offered to Afghan returnees through IOM also falls within this category (Strand et al. 2008).

Several countries have increased forced removals and the use of detention centres for persons awaiting removal. Norway has one such centre, but the overall use of detention for failed asylum seekers awaiting removal is little used. Norway has primarily employed passive coercive measures (Brekke & Søholt 2005; Hjelde 2010; Thomsen 2010; Valenta et al. 2010); the rationale being that the destination country [Norway] signals to the failed asylum seeker that he or she has no future in the country and makes daily life so strenuous that the asylum seeker ”gives up” and co-operates with the host authorities in returning to his or her country of origin (Brekke & Søholt 2005; Brekke 2010; Valenta et al. 2010).

Most countries in Europe employ a variety of passive measures, ranging from a reduction in economic support to a complete exclusion from the welfare system. However, both passive and active measures have inherent incompatibilities. The problem with passive measures is that they frequently contribute to failed asylum seekers’ further clientism, passivity and deteriorating living conditions whilst not necessarily resulting in return (Brekke & Søholt 2005). Furthermore, ethical concerns are raised by employing, as a means to motivate return, measures that lead to deteriorating conditions for persons already occupying a vulnerable position in society, as illustrated by Hjelde’s study of failed asylum seekers access to Norwegian health services (Hjelde 2010). Another challenge for the authorities is to find the right balance when calibrating support services. On the one hand, the government wishes the measures to promote return amongst failed asylum seekers (Brekke 2006, 2008; Strand et al. 2008). On the other hand, it is anxious to avoid support services becoming a pull-factor for potential asylum seekers (Brekke & Søholt 2005; NOAS 2009; Brekke 2006, 2010).

Drawing inspiration from research and relevant theory on migration and human action (Coser 1956; Collins 1975; Castles & Miller 2009), we will (in the following) analyse how asylum seekers position themselves vis-à-vis some of the measures discussed above. How can we interpret asylum seekers’ actions and strategies vis-à-vis Norwegian authorities? Sociological theory provides helpful insights. We may, for example, assume that the actors’ actions and coping strategies are influenced by their evaluation of the costs and expected benefits of alternative courses of action (Homans 1974), or by their attempt to retain a

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2 Several of the mentioned projects combine pre and post return assistance.

3 For an overview of programmes in other European countries, see Valenta et al. (2010).
positive self-image and self respect (Goffman 1956, 1970). These perspectives can assist us in understanding how failed asylum seekers make choices and decide upon different courses of action.

Another helpful way to structure the analysis would be to indicate the actors who operate within a given social field, organisation or institution and their respective goals (Goffman 1961; Collins 1975; Bourdieu & Wacquant 1992). Modern conflict theory employs the term "the arena of struggle" (Collins 1975), or the "field of struggle" (Bourdieu & Wacquant 1992), to suggest that the actors, with their respective resources, will strive to improve their situation (Coser 1956; Collins 1975). The advantage with such a field approach is that one can relate to both the actors’ actions and the rules that govern their action within a given field.

This perspective is adopted herein. The conflict perspective is not often used in explorations of asylum seekers. However, it is clear that several of the above mentioned analytical starting points might be used to explore processes within the field of asylum, in particular when the analysis concerns the realities of failed asylum seekers and their relationships with the host country’s authorities. Here, the potential for real conflict and adversarial positioning is rife given the sharpened conflict of interests between the actors (Coser 1956). Approaches inspired by conflict theory imply that within a social context characterised by sharp conflicts of interest, cooperation and relationships (if the contestants are capable of a cooperative relationship) are continuously undermined by conflicts in which the individual actor attempts to improve his own situation (Collins 1975). This perspective presupposes that the rules of the game and the resources that the actors have at their disposal will condition their motivation, plans, actions, and the social practice emanating from them. At the same time, the actors will mobilise their means, resources and strategies to win the conflict, attempt to extend the social field or the institution’s rules through "secondary adjustments", as well as to find allies, leave the arena or procure new resources to mobilise in the conflict (Goffman 1961, 1970; Coser 1956; Collins 1975).

**Method and sampling**

The study which this article is based upon includes qualitative interviews and contact with 77 informants. Approximately half of the sample consisted of employees and professionals with knowledge of the asylum system (41 persons), whilst the other half consisted of failed asylum
seekers (36 persons). The professionals were selected based on a strategic sampling in which the primary goal was to obtain a variety of perspectives, as well as shed light on different aspects of departure centres and return-promoting programmes. Employees at departure centres naturally dominated this selection due to their daily interaction with failed asylum seekers.

In addition we contacted representatives for the Norwegian organisation for asylum seekers (NOAS), the Directorate of immigration (UDI), Police (PU) and the International Organisation for Migration (IOM) working with voluntary return of asylum seekers. Information from the professionals was collected in various ways. We used formal interviews for the majority (36) which were pre-arranged and the interviewee made aware of the content of the interview beforehand. The average length of these interviews was 45 minutes.

In this article we primarily focus on the asylum seekers’ perspectives. We have interviewed failed asylum seekers from Iraq, Iran, Somalia, Kosovo, Russia, Eritrea, Ethiopia, Sudan, Afghanistan and Sri Lanka). The sample consists of persons of diverse age, family situation and place of residence. We interviewed single persons, persons accompanied by their family, persons resident in departure centres, and persons resident outside the departure centre system. We sought to elicit the views of failed asylum seekers resident in regular? asylum reception centres, departure centres, and in private accommodation, as well as those who had, or had not, consented to voluntary return. We assumed that the varying characteristics would give rise to different views on and experience of being a failed asylum seeker in Norway, whilst at the same time the various categories of informants would have different positions and assumptions of the departure centre system in particular and return-promoting programmes in general.

Interviews with the failed asylum seekers lasted for approximately one hour. In cases where the informant lacked adequate Norwegian or English skills, an interpreter was used. Where we use quotes or stories illustrating failed asylum seekers’ situations and positions, the data is coded to ensure anonymity.

In addition to the qualitative data, we have collected and analysed relevant statistical data. We have been obliged to draw on all these sources in order to provide an adequate comparison of the development of forced removal and voluntary return. The quantitative data will not be analysed in depth in this article, but in cases where trends in the data are pertinent to the reader, these will be presented and analysed.
Different perspectives on rejection

According to Talcott Parsons, conflict is a state of exception, or illness, which weakens the social system and therefore should be avoided (Parsons 1949; Coser 1956). Coser argues that such a perspective frequently influences the thinking of government officials, system managers and those generally concerned with "the preservation of existing institutional arrangements" (Coser 1956:27). Furthermore, he claims this perspective ignores several important dimensions of conflict; the fact that the conflict can serve certain functions, and that the conflict frequently includes conflicting interests and the fight against oppression:

The decision-makers are engaged in maintaining and if possible strengthening the organizational structures through and in which they exercise power and influence. Whatever conflicts occur within these structures will appear to them to be dysfunctional...Also decision-makers are more likely to consider the dysfunctions of conflict for the total structure, without giving attention to the functions of conflict for particular groups or strata within it (Coser 1956: 27,28).

According to Coser, an important starting point for conflict analysis is to explore the issues underlying antagonistic assumptions, realities and practice, and to explore these in light of the actors’ diverse interests, power and resources (Coser 1956; Collins 1975). Let us commence by exploring the different perspectives we find amongst our actors in their "arena of struggle" (Collins 1975). As previously mentioned, the government’s measures to promote “voluntary return” are not based on voluntariness on the part of the failed asylum seeker. One can roughly divide the process of rejection into three phases in which voluntariness is progressively restricted, whilst the dimension of force gradually becomes more prominent. In the first phase, the asylum seeker is rejected after exhausting all possible appeals, usually following a protracted dispute with Norwegian authorities. In the second phase, the authorities include a threat of forced removal. Failed asylum seekers also lose their temporary work permit, access to Norwegian language courses and access to various welfare benefits. The third phase commences in cases in which the individual asylum seeker applies for IOM’s [voluntary assisted] return programme. The authorities then assist the failed asylum seeker with his or her ‘voluntary’ repatriation (Brekke 2006, 2010). All asylum seekers we have interviewed expressed disappointment and bitterness at Norwegian authorities, and held negative feelings against repatriation assistance provided within this framework.
One of the challenges regarding return-promoting programmes is the conflict between asylum seekers’ and Norwegian authorities’ understanding of what constitutes a final rejection. In practice, the authorities regard a rejection of an appeal as a final rejection, mirrored by a loss of temporary work permit and Norwegian lessons, as well as reduced access to welfare benefits (Brekke & Søholt 2005; Brekke 2006; Hjelde 2010; Kjærre 2010).

Some asylum seekers conform and cooperate with Norwegian authorities about their repatriation shortly after this rejection. However, in such a context it is not surprising that many fail to cooperate. The majority of asylum seekers we have interviewed do not consider a failed appeal as a final rejection, but rather the beginning of a protracted dispute with Norwegian authorities. Although failed asylum seekers, according to Norwegian authorities, should be in the third phase of return, failed asylum seekers themselves do not consider this to be the case; in other words, they do not accept the rejection.

**Rationality and motives for continued struggle**

From a sociological perspective, how can we comprehend the motivations behind asylum seekers’ positioning in relation to current policies? Are their actions irrational and do they lack an ability to admit that the ‘struggle is lost’? According to Robert Park, conflict generates consciousness, a precursor to rational action (Park and Burgee 1921:578). Failed asylum seekers are clearly in an antagonistic relationship with Norwegian immigration authorities, and, drawing on Merton and Homans (1974), we may argue that their actions should be regarded as rational positioning. In these strategies, failed asylum seekers consider the costs and benefits (Homans 1974) of their actions. Their adversary (Norwegian authorities) considers the means to be illegal, or which Merton calls ”culturally tabooed means” (Coser 1956: 51; Merton 1968: 216), but their actions are, as we shall soon show, not necessarily irrational.

At the same time, several of the informants’ stories substantiate Collins’ (1975) claim: people are not as rational as rational choice and exchange theory postulates (Homans 1974), but rather that choices of courses of action can be based on emotions and little thought through considerations. Therefore, like Coser (1956), we believe a distinction between realistic and non-realistic conflicts may contribute to our conflict analysis. Considering these two conflict types, Coser states:
In realistic conflicts, there exist functional alternatives as to means. In non-realistic conflict, on the other hand there exist only functional alternatives as to objects... Such a distinction might serve to inform discussions of social control and social deviance. A social deviant need not be “irrational”, or devoid of reality orientation (Coser 1956: 50, 51)

According to Coser, the realistic conflict is based on a rational strategy vis-à-vis the opponent in which the protagonist aims to attain a concrete goal. Here the antagonism is genuinely anchored in a conflict of interest and the adversaries are stably defined by the social structure. In an non realistic conflict, one needs to vent accumulated hostility and frustration (ibid: 48-54). Although both dimensions of conflict can be found in failed asylum seekers’ actions, it seems that the purposeful, instrumental and well-considered positioning usually associated with Coser’s realistic conflict, dominates failed asylum seekers’ relationships to Norwegian authorities.

Following aforementioned perspectives, let us examine the costs and benefits of various actions and means employed by asylum seekers in order to achieve their aims. The asylum seekers’ prime objective in the real conflict, based in part on fear for the potential consequences if returned to the country of origin, is to attain residence status in Norway. The socio-economic costs associated with migrating to Norway are felt to be heavy, contributing to failed asylum seeker’s failure to acknowledge rejection without further struggle. This is something the majority of our informants mention as the main reason for not accepting the rejection. The experience of injustice, in terms of how their asylum claim has been handled, is also mentioned. Furthermore, some informants have resided in Norway for many years, worked, paid taxes, learnt Norwegian, have children and contributed to society in other ways, something they believe should give them the right to remain. They also mention that whilst they themselves have been rejected, others, who they believe have an equivalent or weaker claim to asylum, have been granted residence. This is experienced as unjust and, for some, considered a motivation for further struggle. Concurrently, several stories indicate how powerless they feel. An Iraqi man explained:

I had to leave Iraq. I tried twice. Each time I paid 10 000 dollars. I lost everything. I lost the best years of my life. I am now 40 years old and have neither children, nor family... Norway wishes me to return to Iraq. It’s impossible. There is nothing there for me, neither family nor a place to live... It is insecure. The situation is characterised by lawlessness. Anyone can harass me... They don’t allow us to claim asylum in another country either. My friends have tried to claim asylum in Sweden and
Finland, but they send us back here. I hope Norway and Europe in the end will realise how unfair the system is... Perhaps they can abolish the Dublin rules (Iraqi man, 40 years)

The hope of finally gaining residence in Norway is perhaps the most important motivation to continue waiting. For an outsider, some of the strategies described may appear somewhat irrational: after all, they have lost everything, what are they waiting for? For the majority we have met the rationality in refusing to accept the final rejection lies in a failure to recognise this rejection as in fact final. Many state that they have a case in progress, and that they are working intensely to acquire new documents which are to be sent to Norwegian authorities or international bodies. They also monitor the situation in their countries of origin, in the hope of finding information that may support their appeal. Several have given examples of friends or acquaintances who, after many years in Norway, have had their decision reversed. They hope the same will happen to them. A man from Iran told us:

It wasn’t easy for me to leave my home country, but I had to do it. It’s not easy to be Kurdish in Iran, and especially if you in addition won’t overlook all the injustice and discrimination which happens. I was tortured in Iran and will do everything to avoid it. Norwegians think they can send me home. I will appeal to international organisations... I have a strong case. They believe that withdrawing all rights will motivate us to leave (Iranian man, 32 years).

Coser draws attention to the fact that conflict calls for allies (Coser 1956: 139), something our informants have realised. The man quoted above emphasises that he does not accept the rejection, and that he has by no means given up his struggle. In likeness to several other interviewees, he seeks assistance from a variety of NGOs. Many implied that they are seeking assistance from NGOs, or at times paying lawyers if they can afford to. However, not all adopt such an approach. Some hope to finally gain residence without actually doing anything, and that their case will resolve itself. This is partly based on having lapsed into apathy, but may also be seen as passive resistance:

We don’t give up. Why can’t UDI give up? We stand to lose more than they. They think we will give up. They are wrong. Do you know there are people in this departure centre who believe everyone [the authorities] have forgotten them and that they will reside here for the rest of their lives? They hate this place. They are ill and mad, but they will not return. They simply wait. They don’t have any other alternative (Somali man, 34 years)
Brekke (2004) depicts how asylum seekers experience the time waiting for the asylum decision from Norwegian authorities. This period is marked, according to Brekke, by uncertainty, suppression of the possibility that they may be rejected, and that future plans are reduced to only one alternative: being granted residence. In other words, return is not considered an option. Although Brekke’s analysis focuses on those residing in regular reception centres and who have not yet been rejected on appeal, their perspectives mirror those found amongst our informants in departure centres. Return is still not considered an alternative for the majority, and the belief that everything will be solved as soon as they are granted residence is still prominent. However, in contrast to Brekke’s informants, our informants have been excluded from a number of arenas (including the right to follow Norwegian classes, health services and the right to work). As the informants’ suggest, this in turn leads to their having nothing to do but wait, something which again appears to reinforce the feeling of endless waiting. Furthermore, failed asylum seekers have even less of a clear opinion of how long they must wait before their case is resolved.

But although the time waiting is meaningless; the waiting itself is not. The endless waiting reduces their standard of living and their expectations of life in general, but it does not hurt their asylum claim. In fact, several informants hope the authorities will grant them amnesty based on long-term residence in Norway. However some individuals have realised they will not be granted residence in Norway, irrespective of their length of stay. Nevertheless, they still hope a lengthy stay will enable them to acquire the resources necessary for further migration. They work illegally in order to finance migration to a new destination country. The Dublin regulations have significantly limited the possibility for onward migration to other European countries. Therefore, several informants planned to travel to Canada (referred to as ”a good country to migrate to” by several informants) and apply for asylum there or move to other European countries to reside there illegally. These plans have, however, been little concretised and are, according to the informants, not something that will happen in the near future. One cannot exclude the possibility that these plans were made in order to provide an acceptable exit-strategy from their locked situation in Norway.

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4 The Dublin II Regulations is a treaty between EU countries, Iceland and Norway determining the country responsible for processing asylum claims; namely, the country in which the asylum seeker first seeks asylum, have his/her finger prints registered, is intercepted in an attempt to cross the border illegally, or from which s/he has been granted a residence permit or visa.
Resources and strategies vis-à-vis return-promoting measures

As indicated, failed asylum seekers are in a real conflict (Coser 1956) with Norwegian authorities, in which both sides employ a variety of means to attain their goals. As already noted, the analysis of the real conflict focuses on clarifying the parties’ respective goals, and the means employed to attain them (Coser 1956). The heart of the conflict is the asylum seekers’ desire to remain in Norway and Norwegian authorities’ insistence that they leave. The means employed by the authorities are already listed in figure 1. It thus remains to discuss what means asylum seekers employ in the conflict.

In this part we turn our attention to asylum seekers’ responses to some of the return-promoting measures shown in figure 1. Several measures are based on different forms of coercion, and thus it is natural to study how failed asylum seekers react to such coercive measures. Here it may also be relevant to refer to Collins’ “arena of struggle” in which he notes that “coercion leads to strong efforts to avoid coercion” (Collins 1975:298). Further, he states:

If resources for fighting back are available, the greater the coercion applied, the more counter-aggression is called forth…If resources for fighting back are not available, but opportunities to escape are, the greater coercion that is applied, the greater the tendency to leave the situation…If resources for fighting back and opportunities to escape are not available, and there are no strong positive incentives for staying, the greater the coercion applied, the greater the tendency to dull compliance and passive resistance (Collins 1975:298-299).

In other words, we can analyse asylum seekers’ actions in light of their motives, the resources they possess and the “rules of the game” and “constraining forces” present in the context in which they operate, with their associated possibilities and constraints. A common assumption is that an asylum seeker’s relation to and positioning vis-à-vis authorities depends on the extent to which he/she risks being subject to removal (Strand et al. 2008), which again may explain why some sign up for “voluntary return” whilst others do not. Experiences of forcibly returning Bosnians from Germany and the return of Afghans and, to some extent, Kosovo Albanians, from Norway also support this (Brekke 2002, 2010; Strand et al. 2008; Valenta et al 2010). As part of our study, we analysed return statistics and found them to support this

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5 A potential weakness of such an analysis is the possible existence of unknown underlying factors which may impact the statistical trends. A marked improvement in the country of origin might, for example, facilitate a decision to return.
assumption. We here choose to scrutinise trends for Somali, Afghan and Iraqi asylum seekers. These three groups have access to different resources and position themselves differently in relation to return.

In the period 2005-2009 the number of Somali asylum seekers with final rejections residing in Norwegian reception and departure centres varied between 75 persons (in 2007 and 2008) to 209 persons (in 2009), whilst the number of forced removals from reception and departure centres has been noticeably low (only 3 persons in 2008 and 7 persons in 2009). When so few Somalis with final rejections are removed, one may reasonably assume that the threat of removal will not appear credible enough to act as a significant push-factor. This may also have contributed to only 20 Somalis applying for return through IOM in the period 2002-2009.6

For Afghans, on the other hand, forced removal has constituted a very credible threat (Strand et al. 2008). In 2007, 42 failed Afghan asylum seekers resided in Norwegian reception and departure centres, of which 27 were forcibly removed, with a total of 133 Afghans being forcibly removed in 2007. When the risk of removal is so high, it is likely to influence the decision whether or not to apply for assisted return, irrespective of the asylum seekers’ assessment of conditions in the country of origin. As suggested above (Strand et al. 2008), for Afghans, this factor may itself account more than any other factor for the return numbers.7

What trends can we find amongst the group of Iraqis? As for Somalis, the threat of forcible removal did not appear as a credible push factor when making the decision on whether to return voluntarily. In contrast to Somalis, however, the number of Iraqis applying for and returning through IOM has been high, especially in 2008 and 2009 which predated the intensification of removals of failed Iraqi asylum seekers initiated by Norwegian authorities in December 2009.8

Experts within UDI, NOAS, IOM and in reception and departure centres explain the rising number of voluntary returns with reference to Norwegian authorities’ increasing emphasis on return-promoting measures in recent years. However, it is not the withdrawal of a right to reside in reception centres or departure centres they refer to. Rather the rise in

6 As mentioned we have only limited knowledge of the conditions in asylum seekers’ countries of origin, which are assumed to be harsh, but excluded from this analysis.

7 In a study by Strand et al., conditions in countries of origin were judged very hard by those applying for assisted return. Neither did an increase in economic support upon return or a reduction in standards in Norway explain the increase in returns. Therefore, researchers demonstrate Afghans applied for return through IOM to avoid forced removal (Strand et al. 2008).

8 For example, IOM’s statistics show that the majority of Iraqis returning in 2009 returned before September (226 of 373 persons), and only 27 Iraq returned in December 2009.
returns is explained by the dramatic increase in economic support offered to those returning with IOM; especially the increase offered to Iraqis in 2008 and 2009\(^9\) which is considered the most important reason for the rising number of returns to Iraq 2009.\(^{10}\)

The fact that different forms of support, including economic support, may better promote return than a reduction in living standards, also finds support through our analysis of the Directorate of Immigration’s statistics.\(^{11}\) Summarised, we can see that active coercion combined with an increase in economic support can lead to increased “voluntarily” assisted returns (Brekke 2010). However, the conflict perspective implies that failed asylum seekers will muster all available resources and means to avoid coercion. What tangible strategies of negotiation can failed asylum seekers employ vis-à-vis authorities? When it comes to return and removal, ”hiding from the police” upon a final rejection, and ”hiding one’s identity” upon arrival are two of the most important means to be used in the struggle against the host countries’ authorities.

Approximately 5 percent of asylum seekers in Norway document their identity with valid documentation, i.e. a passport. However, the ”real conflict” is fought on several other fronts. For example, the conflict also influences the asylum seeker’s strategy vis-à-vis the reception system. In the early stages of this research we found residents in departure centres to be dominated by persons difficult to remove. These failed asylum seekers were usually unwilling to cooperate with IOM regarding their return.\(^{12}\)

In addition to aforementioned responses, our findings indicate these responses to arrangements promoting return: (1) A failed asylum seeker who can be removed faces two choices: go into hiding or apply for voluntary return before the police effectuates the removal; (2) asylum seekers who have not accepted their rejection and who risk removal will frequently leave the departure centre to avoid the police knowing where they reside; (3) those who do not risk removal will be less inclined to apply for assisted return; (4) as a result, those

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\(^9\) Iraqis may be considered to have benefitted from the most generous support. Failed asylum seekers returning to Iraq are offered 10 000 Norwegian kroner per person in cash. The cash is paid upon personal attendance upon arrival in Iraq. Additionally, the programme offers reintegration support worth up to 25 000 kroner per person. Returned Iraqis may furthermore apply for housing allowance up to 20 000 per household. The housing allowance is needs assessed.

\(^{10}\) In the latter half of 2009, a broader support was introduced to the programme, in which the 400 persons first applying for return before 31 December 2009 were offered 20 000 kroner in reintegration support (provided they were citizens of countries qualifying for Norwegian development aid). This enlarged support has been continued in 2010.

\(^{11}\) For more information on the statistics and how the trends relate to the mentioned return-promoting measures, see Valenta et al. (2010).

\(^{12}\) This particularly concerns the first years following the introduction of departure centres. Returns rose in 2008 and 2009 after increasing economic support.
residing in departure centres are predominantly persons who cannot be removed and are unmotivated to apply for assisted return.

Hence we may again argue that recruitment, positioning in the field, included what Collins terms a "tendency to leave the situation" (Collins 1975: 298), is intimately linked to the resources a person has at his/her disposition within the "the arena of struggle" (Collins 1975). Although it is beyond the scope of this article, we should mention that another important resource which needs to be considered when analysing these positionings, is the possibility of managing to live outside the asylum centre system which, according to research, largely depends on the individual asylum seeker’s social capital and ability to find illegal employment (Brekke & Søholt 2005; Valenta et al. 2010).  

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**Departure centres, return and deterrence**

Several European countries have differentiated their asylum reception systems to include different types of asylum reception centres which serve various functions and accommodate separate categories of asylum seekers. For example, such a differentiated reception system can be found in both Denmark and the Netherlands (Valenta et al. 2010). Similarly, Norway has several types of accommodation centre; transit centres for newly arrived asylum seekers, regular reception centres for those awaiting a decision on their asylum claim, and departure centres for those with final rejections on appeals.

However, our analysis of statistical trends indicated that those who apply for assisted return usually do so whilst they are residing in regular reception centres (Valenta et al 2010). Might this imply that Norwegian departure centres serve a return-promoting function in that their poor reputation impacts decisions to return? The rationality here is that the failed asylum seeker will apply for assisted return in order to avoid residing in a departure centre.

Both failed asylum seekers residing in regular reception centres and employees rejected this hypothesis, claiming asylum seekers apply for return for other reasons. At the same time both groups indicated that amongst those residing in regular reception centres, many apply for return in order to avoid losing their accommodation and in the hope of confusing the police and extending the length of the removal phase. They are later proven not

\[13\] We have encountered asylum seekers risking removal, but who in periods nevertheless resided in departure centres because they lacked other options. Despite these exceptions, our findings suggest that the establishment of departure centres first and foremost scooped up those not risking forced removal and who will not cooperate on their return.
to be genuine applicants for assisted return. False applications are, in other words, employed as a means in the conflict.

According to both employees and residents in regular reception centres and in departure centres, it is naive to expect persons who have experienced a great deal of hardship to be so intimidated by a lowering of standards in departure centres that such measures may affect their decisions on return. Several informants from UDI and NOAS, and experts within the Ministry of Justice agree. As the Secretary-general of NOAS stated:

As part of NOAS’ information work in the arrival phase I have in the last years interviewed hundreds of newly-arrived asylum seekers in transit reception centres...If you had heard all these stories of how much they have been though in their countries of origin and in the course of migrating, you would also doubt that a reduction in living standards in departure centres can affect asylum seekers’ decisions on return... The majority have been through so much and invested so much time and effort before they receive a final rejection. It is naive to believe that living standards in departure centres can have any impact.

As we will consider below, departure centres may deter asylum seekers, but primarily in relation to the decision on whether or not to be moved to a departure centre, not in relation to the decision on whether or not to return to the country of origin. In other words, the deterrence does not contribute to lowering the real conflict and the underlying conflict of interests (Coser 1956). Deterrence may, however, trigger response in terms of leaving the reception centre system, or attempts at retaining a place in a regular reception centre. But why do failed asylum seekers strive to retain their place in regular reception centres? It appears that this struggle normally has little to do with the central aim of the conflict; namely, avoiding removal whilst struggling to gain residence in Norway. Rather, asylum seekers’ attempts to retain their place in regular reception centres is associated with the wish to avoid ”the least comfortable place in the reception centre system”.

Failed asylum seekers claim the standard in regular reception centres is clearly higher than in departure centres. One of the most important factors used to exemplify this is the lack of activities offered and that asylum seekers are catered for and receive only pocket money in departure centres, whilst in regular reception centres they receive economic support and cater for themselves. Residents in departure centres were of the opinion that regular reception centres allow residents to take more responsibility for their lives. For this reason, residents in departure centres believed those who retained their place in regular centres to be privileged in comparison to themselves.
Departure centres were considered the last option for failed asylum seekers, irrespective of where they resided at the current time, and were described as "zoo", "jungle", "mad house", "prison" and such like. Both those who had been in a departure centre and those had never been in one associated them with conflict, low living standards, overcrowding, isolation, drug abuse and criminality. However, both failed asylum seekers in departure centres and those who retained a place in regular reception centres were of the opinion that a reduction in living standard is of little consequence for the person’s decision on return. The informants emphasised that such coercive measures had little impact on their view of return but rather triggered other adaptation strategies which, although they were not proud of them, were nevertheless deemed necessary (see Kjærre 2010; Valenta et al. 2010). Thus we can tentatively conclude that the authorities’ use of "passive coercion" in the conflict impacts failed asylum seekers’ strategies and positioning in relation to the authorities. In the last section of this article we will take a closer look at how this form of return-promoting measures were experiences by residents in departure centres and how such measures impacted the conflict between the parties.

Everyday life and conflicts in departure centres

Collins (1975) claims that conflict analyses must consider the material circumstances that influence the interaction. Also Goffman (1961) claims similar thing in his descriptions of the role deprivation in total institutions, which asylum reception centres are frequently associated with (Solheim 1990; Lauritsen & Berg 1999). Residents’ experience of endless waiting, passivity, cramped living conditions, lack of privacy and mental problems are frequently listed in studies of regular reception centres (Berg & Sveaass et al. 2005). Several Norwegian studies of life in asylum reception centres additionally point to residents experiencing several forms of infringement and clientisation, something which generates conflict in the relationship between residents and employees (Solheim 1990; Lauritsen & Berg 1999; Knudsen 2005; Valenta & Berg 2010). Our findings indicate that these experiences and conflicts appear to become significantly sharpened in departure centres, resulting in different forms of rebellion (for extensive descriptions of such conflicts see Valenta et al. 2010). It is not unusual for residents in regular reception centres to express their rejection of the system by opposing rules or acting in a way that employees experience as ungrateful or, at times, threatening. However, the opposition in regular reception centres is usually limited to
"secondary adjustment" (Goffman 1961) and passive forms of disobedience, such as a failure to clean communal areas and such like (Lauritsen & Berg 1999; Valenta & Berg 2010). Through our study we formed the impression that the sense of powerlessness was stronger in departure centres, and conflicts degenerated more frequently into violence targeting other residents, personnel or the inventory. Both personnel and residents in the departure centres recounted episodes in which they had been threatened, hit, kicked, offended and exposed to serious situations. The fact that employees felt unsafe led to the implementation of a series of security measures which contributed to increase the distance between themselves and the residents. The residents, on the other hand, considered the security measures as an infringement. The security measures hampered daily informal interaction between residents and employees which again contributed to increased polarisation and tension.

We gained the impression that conflicts and violence against employees was intimately associated with the increased polarisation between “us” and “them” (Collins 1975, 2009). In the symbolic and emotional polarisation, the residents viewed themselves as ”the unfairly treated”, ”the rejected” and ”the forgotten”, whilst ”they” included the personnel, representatives for the system, and Norwegians in general. In the midst of conflict, ”they” were considered arrogant, immoral and racist, used in the interpretation and legitimisation of violent acts.

Other causes of violence and conflict between residents, and between residents and personnel, were linked to mental problems, drug abuse, and a lack of activities. The following story captures a number of these problems:

People go crazy. It is hard to queue continually for food. People fight. They smash the TV. They smash windows... in five months they’ve broken five TVs, and the [departure] centre recently spent half a million kroner on repairing windows... It’s boring here, and the food is not good. It’s a problem that many fight. Depression results in small issues often creating big problems... We have a dryer for 100 people and three washing machines. This leads to a lot of quarrelling, or people can’t be bothered to wash and don’t care about hygiene in the end (Iraqi man, 30 years).

Cramped living, passivity, life ”in limbo” and other processes mentioned weaken long term residents’ capacities, irrespective of whether they reside in regular reception centres or departure centres (Lauritsen & Berg 1999; Brekke 2004; Berg & Sveaass et al. 2005). As mentioned, however, it seems that the negative processes recognised in regular reception centres are intensified in departure centres. As mentioned above, there was an absence of empowerment-related programmes usually found in regular reception centres (Valenta &
Berg 2010), which in particular appeared to negatively affect relationships and reinforce the clientisation, again contributing to increasing the risk of conflict.

The limited offer of organised qualification programmes and activities and the severely reduced economic disbursement was instigated by Norwegian immigration authorities. The policy was based in part on the assumption that a low standard of living would promote return (Brekke 2006, 2010; Valenta et al. 2010). However, this strategy seemed to have had limited success. The passive existence in departure centres contributed to conflicts and to residents "getting stuck in the centre" or, alternatively, with the aid of personal networks, residing outside the reception centre system, finding illegal employment and in some cases engaging in criminality (see also Brekke & Soholt 2005; Kjærre 2010; Valenta et al. 2010). Last, but not least, the high level of conflict, violence and despair is channelled towards the system and resulted in residents rebelling and the centres being wrecked and subsequently closed down in the summer of 2010.

Rebellion and riots as the means employed in the (non)realistic conflict

Resident rebellion and riots occur quite frequently in the Norwegian reception centres accommodating failed asylum seekers (Valenta et al 2010). How may we comprehend and interpret such rebellion? We believe resident rebellion may be interpreted by employing the above mentioned distinction between realistic and non-realistic conflicts (Coser 1956). In this context, it is fruitful to note Coser’s suggestion that a lack of opportunities to attain the desired goal fosters frustration which in turn results in aggression towards a substitute:

…in cases in which conflict behaviour against the original object is blocked…hostile feelings may be deflected upon substitute objects… differentiation between conflict as a means and conflict as an end in itself is a criterion by which to distinguish between realistic and non-realistic conflict… Whereas the first type takes place with the frustrating agents themselves in expectation of attaining specific results, the second type consist of a release of tension in aggressive action directed against shifting objects. The first type of conflict is viewed by the participants as a means toward the achievement of realistic ends, a means which might be abandoned if other means appear to be more effective for reaching the same end. The second leaves no such choice, since satisfaction is derived from the aggressive act itself (Coser 1956: 40, 49, 54-55).

14 An examination of UDI’s registrations also suggests that the use of passive coercion has not resulted in an increased cooperation regarding returns. For more information, see Brekke (2010), and Valenta et al (2010).
According to Coser (1956: 87), antagonism towards a common external enemy increases internal cohesion. We have seen that life in departure centres is characterised by conflicts between residents, yet it appears that the fractioning and internal conflicts were at times set aside. With reference to Coser notion of “the unifying character of the conflict” (1956: 149) we might argue that the antagonism directed at Norwegian authorities consolidates and mobilises asylum seekers, and, at times, culminates in riots at departure centres. Such acts of violence may thus be viewed as the asylum seekers’ response, in which every day conflicts and violence between residents is superseded by an emotional mobilisation against the physical building symbolising Norwegian authorities. Although we usually associate such violent acts against substitute objects with Coser’s non-realistic conflicts, we cannot exclude the possibility that resident rebellion, including the last riot resulting in the closure of departure centres, also contains elements of a realistic conflict. Through such riots, the asylum seekers’ need to vent their frustration against Norwegian authorities was satisfied through what Coser (1956) coins: ”the need for tension release” (ibid: p. 49), primarily associated with non-realistic, irrational conflicts.

At first glance, the acts of violence appear irrational, also when considering their intended goal. The riots have not resulted in failed asylum seekers reaching their central aim; the granting of residency or the granting of amnesties. On the other hand, however, we can identify a rational dimension in such acts of violence. The last resident riots in the summer of 2010 have, for example, triggered amendments. Through targeted aggression towards the departure centre buildings, a “substitute object which become a target by situational accident” (Coser 1956:40, 50), the residents attained more than a mere release of tension. The riots resulted in widespread media coverage of living conditions and the negative impact of passive coercion. Furthermore, the riots have, according to some professionals working within the field, “triggered action” in relation to changing the official view of employing coercive measures. Those who claimed a reduction in living standard achieves nothing except ”breaking down asylum seekers” have interpreted the rebellion as tangible proof that the ”situation was untenable”. Last, but not least, the destruction of the departure centres improved the residents’ relative position within the reception system. They were transferred to regular reception centres with a higher standard, and the authorities released plans of a new and improved scheme relying less on passive coercion. However, it remains to be seen whether this new scheme will be implemented.
Conclusion

In this article we have shown how failed asylum seekers in Norway experience and position themselves in relation to the departure centres and other return-promoting measures. The central question is whether a reduction in the standard of living can promote return, or whether this instead leads to focus potentially being shifted from return to the current living situation. We have argued that the lower living standard in departure centres did not prompt return but rather contributed to failed asylum seekers avoiding being moved to these departure centres. For those making use of departure centres these contributed first and foremost to "breaking down" the asylum seeker, whilst also contributing to conflict which cumulated in residents rebelling and destroying the centres.

In contrast, it seems that various forms of assisted returns incorporating substantial economic support can, in certain cases and under certain circumstances, promote return. Our findings therefore corroborate those of a number of other studies (Brekke 2002, 2010; Strand et al. 2008). Our analysis indicates that the number of returns remained low in the first years of such schemes, and first started rising once the economic support was increased. As we have suggested, many Iraqis returned through IOM after Norwegian authorities increased their economic support.

In the Norwegian experience, passive coercion does not promote return. At the same time, one cannot overlook the aspect of active coercion employed vs-à-vis a large proportion of those returning "voluntarily" though IOM in 2009 to Kosovo, Russia and Serbia. These are, in other words, persons who received no economic support, or highly circumscribed economic support, compared to Iraqis. The relatively high participation in (IOM) return programmes amongst these groups may be attributed to the situation in their countries of origin, as well as the fact that persons originating from these countries perceive the threat of forced removal to be realistic. Like Afghans (Strand et al. 2008), they "make the best out of a hopeless situation" and apply for "voluntary return" (Brekke 2010).

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15 An overview of return statistics, divided by years and country of origin can be found in Brekke (2010), and Valenta et al. (2010).
16 Persons from Iraq receive up to 35 000 kroner in economic support, and may furthermore apply for housing allowance. Persons from Kosovo and Serbia receive 10 0000 kroner, whilst persons from Russia receive no economic support. For more information about these different return regimes, see Valenta et al. (2010).
17 In the same period, Norwegian authorities have intensified forced removals to these countries, so that the threat of removal was realistic. An overview of removals divided by years and country of origin can be found in Valenta et al. (2010).
Our findings have academic and political implications. They can be used as a reference point in comparative analyses of other groups exhibiting direct conflicts of interests. This article also demonstrates how conflict theory can be employed in tangible analyses, something that may be of interest to sociologists interested in analysing “real conflicts” between antagonistic actors (Coser 1956). Finally, the findings may be of interest to politicians and civil servants. In a context in which the authorities in Norway, and most European countries, continually launch and implement new return-promoting policies (Thomsen et al. 2010), it is crucial to analyse what measures have failed, and why, in order to avoid similar failures in future.

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18 The article may also be of interest to researchers claiming that such analyses should focus on concrete life situations as well as the individuals’ contextual interpretation, and positioning within “the arenas of struggle” (Collins 1975).
References:


Hjelde, K. H. (2010). “Irregular migration, health and access to health”. I Thomsen, L. T. et al. (red.), *Irregular Migration in a Scandinavian Perspective* (s. 231-250.) Maastricht: Shaker Publishing.,


I Thomsen, L. T. et al. (red.), *Irregular Migration in a Scandinavian Perspective* (s. 319-349). Maastricht: Shaker Publishing.


