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Family in the eyes of officials

Definition and implications of the concept of family
in the Swedish Aliens Act

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Abstract

The purpose of this thesis was to explore the way the concept of family is defined in the legislation on family-related migration in Sweden and what implications this definition have for the applicants, for family-related migration and for the view on family in Sweden. The empirical material consisted of five individual, semi-structured interviews with officials working with cases concerning family-related migration at the Swedish Migration Board. The perspective of the officials has been lacking in previous research. The theoretical framework was two-folded. The first part revolved around the concept of family from a critical family sociological and feminist perspective. The second part explored intersectionality and the concepts of gender, nation-state, ethnicity and culture from a feminist post-colonial perspective. The result of the thesis showed various findings. The concept of family in the Aliens Act departs from the nuclear family, which includes both married and co-habitating couples, heterosexual and same-sex couples and in some cases also relationships of dependence based on joint household. The participants seemed to depart from an understanding of the concept of family in a static and fixed way; as primarily involving blood and/or legal ties and being based on heterosexuality and living together. Family practices are affected by for example gender, culture and age practices. It is important for the applicant that these other practices conform to the family practices that are acknowledged in the Aliens Act. To have an accurate definition of family in the legislation seemed to be subordinated to having a restrictive definition in order to regulate immigration. Lastly, the result suggested that the view on the concept of family is part of the view on what constitutes culture within a nation-state and hence the concept of family works as an aspect on which a "we" can be constructed.

Keywords: family, family-related migration, officials, Swedish Migration Board, Aliens Act.

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1. Introduction

1.1 Family and family-related migration

Migration patterns in general and family-related migration in particular have been subject to change. Family-related migration plays a great part in international migration. It is also the dominant way of legally entering into European Union states (Kofman 2004). In Sweden 33 % of the residence permits granted in 2009 were based on family reunification (Migrationsverket 2010a). In spite of this, this aspect within international migration has been neglected during the past two decades among European scholars (Kofman 2004[1]).

Family is an internationally recognized societal unit. This is for example found in the Universal Declaration of Human Rights in article 16 where the family is stated to be a human right, both regarding founding one and having it protected (United Nations). However, the right to family life is articulated quite weakly, resulting in that every nation-state is to decide how to implement it (Kofman et al 2000:65).

Family can also be treated from a policy perspective. Kofman (et al 2000:192-193) argues that national migration policy in Europe has become more repressive in general, but also concerning the way family reunion is treated (ibid.). The legislation on family reunion affects migrants and refugees to a great extent. The way family is defined is often narrow only including spouses and children under age, both on a European and on a national level. Consequently, it is the legislation that decides who is included in the family rather than the individuals themselves (Kofman et al 2000:202).

As can be seen in the above paragraphs there are several reasons to why research on family reunification is relevant and of importance. In this thesis the focus will be on the definition of the concept of family in the legislation on family reunification in the Aliens Act of Sweden and its implications, from the perspective of officials at the Swedish Migration Board.

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[1]   Eleonore Kofman, professor of gender, migration and citizenship.

The concept of family has been widely defined in Swedish domestic legislation, which is of interest in relation to the definition of family in the Swedish Aliens Act. Lundqvist (2007:260) argues that the Swedish family policy has developed from viewing the family as an autonomous unit to viewing family and family relations as changeable and as reform objects (ibid.). Some examples of this can be how the Swedish family policy since the 1960's have emphasized individualized marriage bonds, autonomy and economic independence and how there has been a construction of fatherhood in the family policy (Lundqvist & Roman 2008:217 & 227).

Information and previous research on family-related migration from the perspective of officials have been scarce, from my impression. Research on this topic seems to mainly have been from the point of departure of individual migrants or on analyzes on policy texts. The role of the officials is important in family-related migration, as they make decisions from their assessments which directly affect the migrants.

My own interest in the topic was awakened around a year ago when within this program of Master of Science in Social Studies of Gender, the concept of family was problematized from a feminist perspective. The focus then was on an Official Government Report which investigated the future legislation in Sweden with regard to family-related migration.[2] For me, focusing on this topic is stimulating as it enables me to combine two areas of interest; both gender and migration.

1.2 Purpose and central questions

The purpose is to explore the way the concept of family is defined in the legislation on family-related migration in Sweden and which implications this definition has on cases concerning family-related migration. The point of departure is from the experiences of officials at the Swedish Migration Board working with family-related migration. The analysis will have a feminist, post-colonial and intersectional perspective.

Following questions are central for the purpose:

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[2] See course paper "What is a family: in Sweden, to Sweden and for people with the aim for family reunification in Sweden?" by Bornlinder (2009).

- In what way is family defined and understood in the legislation among officials regarding family-related migration?
- What implications does this definition have for the applicants and for family-related migration?
- What implications does this definition have for the view on family in Sweden?

1.3 Limitations

Some limitations have been made in this thesis. To start with the interviews were carried out with officials working at two Permit Units at the Swedish Migration Board during the early spring of 2010. First of all the officials are only one category of professionals at the Swedish Migration Board, which is likely to affect the answers. Further, the specific time can have affected the answers, for example regarding up-coming changes in the legislation that they might not have had so much information on at that time. The focus is on the legislation in Sweden on family reunification in the Aliens Act and not for example on Official Government Reports or on directives from the European Union, although they might be mentioned. The participants are treated in this thesis as officials working at an authority in Sweden with Swedish legislation. Their respective answers are not compared with each other or analyzed from their respective social positionings. However, the participants are to some extent analyzed from for example their gender, age and ethnicity. This is not done in a comparative way between the participants but rather in relation to the topic.

1.4 Disposition

After this part some concepts will be presented in the part *Central concepts*. Then the *Background to family-related migration* follows which consists of a presentation of immigration policies in relation to family-related migration on a European level, of the Council Directive on the right to family reunification from the European Union, of the Swedish Aliens Act and of the Swedish authority in focus, The Swedish Migration Board. The next part, *Previous Research on family-related migration*, will consist of research in the field of family-related migration, firstly giving an introduction to how research earlier has been conducted on the topic and then focusing on some aspects that are found to be relevant in relation to the topic of this thesis. In the following part, *Methodology and method*, discussions will be held around methodological

considerations, how the language has affected the research project, how the empirical material was collected and analyzed, which ethical considerations have been made, how I, the researcher, am positioned in relation to the topic and lastly, how the thesis will be disseminated. The *Theoretical framework* is divided into two parts; the first one treating the concept of family from a critical family sociological and feminist perspective and the second one intersectionality and how the concepts of gender, nation-state, ethnicity and culture can be understood from a feminist post-colonial perspective. The part *Result and analysis* is three-folded and is organized around different aspects of the concept of family in the legislation and in the practice on family-related migration. The three parts are named "*Understanding family relations in Sweden and at the Migration Board*", "*The problematic concept of the nuclear family*" and "*Social relations in family-related migration*". Thereafter follows the part *Concluding remarks* with the central findings organized around the research questions and suggestions of further research within the topic.

2. Central concepts

This part presents central concepts for this thesis. The first two concepts are theoretical concepts and the following ones are concepts used in the work with family-related migration.

- *Family*: The concept of family has been criticized for several reasons, for example due to the risk of unifying what a family is, as highlighted by Roman (2004). In this thesis, the concept of family is used and understood, in the way Roman uses it; implying different ways of organizing and understanding family life, relationships and households (2004:12).

- *Family-related migration:* The understanding of family-related migration in this thesis is based on the categorization made by Kofman (2004:246-247) where family-related migration is divided into three categories; family reunification implying family members being reunited to the primary migrant, family formation/marriage migration implying recently established relationships and migration where the entire family migrate at the same time (ibid.). The main focus of this thesis will be the first category; family reunification.

- *Sponsor*: the person residing in Sweden or granted a residence permit and with whom the person applying for a residence permit in Sweden has family ties to. According to practice this has been interpreted to refer to persons granted a permanent residence permit (SOU 2005:103: 13).

- *Applicant*: The person applying for a residence permit on grounds of family ties (ibid.).

- *EEA-citizen*: citizen in a EU-country or other country within the European Economic Area (ibid.).

- *Third-country nationals:* persons that are not citizens of a EEA-country or Switzerland. (ibid.).

3. Background to family-related migration

The background gives first a presentation of family-related migration on a European level. Thereafter follows a presentation of the Council Directive on the right to family reunification and of the Swedish Aliens Act. Lastly, the central authority on migration in Sweden, the Swedish Migration Board is presented.

3.1 Patterns of family-related migration in Europe[3] [4]

On a European level, in comparison to for example the USA, family-related migration is less dominant due to usually only considering spouses and dependent children as having the right to apply for family reunification (Honohan 2009:769). In Europe family reunification peaked in 1971. During the 1980's the numbers increased and stabilized (Lahav 1996 in Kofman et al 2000:66). In Germany during the 1980's about 50 per cent of the immigration consisted of family reunion. Germany, though, has made their policies on family reunion more restrictive, by lowering the maximum age of children desiring to reunite with their parents in Germany from eighteen to sixteen years (Kofman et al 2000:66). Another example of how policies affect family life is from the Netherlands. There, in an attempt to prevent marriages of convenience and marriages used solely to be able to immigrate (de Hart 1999 in Kofman et al 2000:67), the partners have to prove that the motive for the marriage has been love and affection and a large age gap considered to be outside the norm would be looked upon suspiciously (Lutz 1994 in Kofman et al 2000:67). As opposed to formulations in international conventions, many nation-states implement stricter conditions in order to further limit family migration, for example support requirement, period of residence and adequate housing, based on the standard of the indigenous population (Kofman et al 2000:67). Kofman (et al 2000:69) shows that family-related migration has become masculinized, due to several reasons (for more information see *4.1 Introduction to research on family-related migration*). The phenomenon of marriage migration and "mail-order brides" are other kinds of family-related migration, where men are looking to marry someone, often from a Third World country (Humbeck 1996). Lutz (1994 in Kofman et al

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[3] For a review on the general migration patterns in Sweden starting from 1945 until present day, see Schierup et al 2006.

[4] Some of the references are second-hand sources. This is mainly due to either being sources in languages I do not understand or being unpublished sources that are not available to me.

2000:71) claims that marriage is what is needed in order to legally be able to enter the European Union. This seems to have been further strengthened since the Council Directive was published in 2003 (see *3.2 Council Directive on the right to family reunification*) and is also seen in the legislation in the Swedish Aliens Act (see *3.3 Aliens Act).* In Europe (Kofman et al 2000:71) cohabitation is mostly not considered as a reason to which one can be granted residence permit, at least for non-nationals, seen in relation to the increase in cohabitation among couples already in Europe. Refugees normally need to have been granted refugee status under the Geneva Convention in order to be able to reunite with their family without having to fulfill the requirements for support and housing. Otherwise, if they are given temporary residence permits, they have to wait to apply for family reunification as regular immigrants, i.e. not refugees (ibid.).

3.2 Council Directive on the right to family reunification

This Council Directive of the European Union (Official Journal of the European Union 2003/86/EC) has been implemented into the Aliens Act of Sweden. In 1999 the European Council decided that the legislation on family reunification for third country nationals in Europe needed to be harmonized within the European Union, which resulted in the Council Directive (Official Journal of the European Union 2003/86/EC: 2). It is stated in the Council Directive that the legislation should protect the family and respect family life. Family reunification should primarily be applied regarding members of the nuclear family; spouse and minor children. According to the Council Directive it is up to the member states to decide whether also family reunification should be applied concerning relatives in direct ascending line, adult unmarried children, unmarried or registered partners as well as minor children of a further spouse or of the sponsor, in case of polygamous marriage. The Council Directive has also included a part emphasizing that the member states should apply the Directive in a non-discriminatory way on the basis of sex, color, ethnic or social origin, genetic characteristics, language, religion or beliefs, political or other opinions, membership of a national minority, fortune, birth, disabilities, age or sexual orientation (Official Journal of the European Union 2003/86/EC).

3.3 Aliens Act

The parts of the Aliens Act that are most central in the work at the Migration Board when it comes to cases of family reunification is the third and the seventeenth paragraph in the fifth Chapter (Utlänningslag 2005:716b) (see *Attachment 1*). Since the law took effect several changes of the law have been made and been implemented into the law. One of the biggest changes in Swedish legislation on family reunification has been changing the formulation in the fifth chapter on Residence Permit on grounds of family ties. The formulation was changed from "*[r]esidence permit* may *be given to*" to "*[r]esidence permit* shall*, if nothing else is specified in 17a §, be given to*" (SOU 2005:103: 35, emphasis in original, author's translation). After that follows several examples of persons that can be granted a residence permit on family reunification, such as spouses, cohabitants and unmarried children (Utlänningslag 2005:716b) (see *Attachment 1*).

One central change that concerned family reunification was the change 2010:175 when a support requirement was added. The support requirement took effect as from the 15th of April 2010 (Utlänningslag 2005:716a). Such a requirement implies that the sponsor, that is the person in Sweden, shall be able to support her/himself and have a housing of suitable size and standard for her/himself and the foreign, if not any of the exemptions apply (Prop. 2009/10:77: 1).

3.4 The Swedish Migration Board[5]

The Swedish Migration Board (henceforth the Migration Board) is a government body with its operations decided by the Swedish Parliament and Government. The Migration Board answers to the Ministry of Justice and the Ministry of Integration (Migrationsverket 2010b).

The decision-making that the Migration Board is responsible for is taken in line with the Swedish statues such as the Aliens Act (2005:716), the Swedish Citizenship Act (2001:82), the Public Counsel Act (1996:1620) and the Reception of Asylum Seekers and Others Act (1994:137) (ibid.). The Dublin Regulation (2003/343/EC) is also affecting the work of the Migration Board as it regulates which country within the European Union is responsible for examining an application for asylum. The decisions taken on the applications can be appealed,

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[5] See model of the Migration Board in *Attachment 4*.

firstly to one of the three migration courts and secondly to the Migration Court of Appeal where the practice of alien cases is decided (Migrationsverket 2010b). The authority is divided into eight divisions; asylum examination, reception, managed migration and citizenship, administrative procedure, European and international cooperation, administration, communication and human resources (Migrationsverket 2009b). In this thesis the focus will be on the division managed migration and citizenship, as this is the division where cases of family-related migration are treated and where the participating officials work.

4. Previous research on family-related migration[6]

In this part a presentation will be given of research on family-related migration connected to the topic of this thesis. To start with, an overall view on earlier research on family-related migration will be presented. The two parts that follow treat two central aspects in relation to the topic of this thesis; the definition of family in national policies, mainly from the example of Great Britain, and a discussion on whether family reunification should be favored or not. The focus of the last part is to show the importance of this thesis in relation to earlier research.

From my impression when searching for information and previous research, finding research on family-related migration from the perspective of the officials at a migration authority has been scarce, both on an international and on a national level. When searching on family reunification (familjeåterförening) in Swedish, the results show for example Official Government Reports or reports made by the Swedish Red Cross. Research made on this topic has often had the perspective for example of individual migrants, on analyzes of policy texts, from a human rights perspective or comparing citizenship laws with immigration laws.

4.1 Introduction to research on family-related migration

Family-related migration has for a long time been neglected in migration studies, even though it is a large part of migration. It has for example constituted the dominant way of legal entry into the European Union for the past twenty years (Kofman 2004:243). The lack of research on family-related migration can be explained in various ways. Two reasons are, argues Kofman (2004:248), that family migration has been viewed as secondary, as it belongs to the social and traditional rather than the economic dimension, and is therefore not considered to be of such importance as for example labor migration, and as it has been viewed as a "female" consequence of male labor migration (ibid.).

However, since the late 1980's, more attention in research have been paid to family migration, theoretically, methodologically and empirically, although often with a view on family as being fixed and monolithic (ibid.). There are also examples of research that instead have looked at

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[6] Some of the references are second-hand sources. This is mainly due to either being sources in languages I do not understand or being unpublished sources that are not available to me.

family in a more fluid and constantly negotiated way. Some examples are the book by the editors Bryceron and Vuorela on transnational families (2002), Foner (1997) on changes in the family when involved in immigration and Creese (et al 1999) on reconstituting the family in immigration and settlement. Vatz Laaroussi (2001 in Kofman 2004:249) argues that "*one has to recognise the diversity of migrant families, relationships and trajectories*". In this way, including analytic categories such as gender, ethnicity and class into the research on family-related migration, which has been done over the years, can result in reaching a more nuanced understanding of the changing dynamics and formations in this kind of migration (Kofman 2004:249).

On a European level one common research focus regarding family migration has been on diasporas and investigating transnational networks, for example done by Anthias (1998). According to Kofman, though, this has been subject to change (2004:244). The start of using the concept transnationalism has contributed to understanding strategies and gender relations in families concerned by migration, such as Salih (2001), and also the phenomenon of binational marriages, by for example Lauth Bacas (2002). Different stages of the life cycle, for example the separation of children, marriage migration and retirement, are affected differently in family-related migration. These stages and the impact of migration have been dealt with in research, which is shown by Kofman (2004:250-253).

There are several aspects of family-related migration that is relevant to research in relation to this kind of migration. Some examples are changing forms of the family, the gendered composition of family migration and the implications family migration and family policy have on men, women, children and elderly (Kofman 2004:244). Other examples are the effect of masculinization of family reunion and which problems women and men need to confront in the attempt of family reunification (Kofman et al 2000:65). The fact that family-related migration has become masculinized is due to several reasons (Kofman et al 2000:69). Daughters from migrant families marrying someone from the homeland is one example. Two other examples of reasons are that men are being more willing to move to the country of residence of the woman and change of social norms in the homeland of the migrants. Further, the country of residence may have changed discriminatory legislation for male family-related migration which is the case

in Great Britain (ibid.). Greater mobility resulting in an increase of international marriages is another reason (de Hart 1999 in Kofman 2004:249).

4.2 The definition of family in national policies

In the research by Harriss and Shaw (2010), departing from the experiences of British social policy and British Pakistanis, it is shown how the state influences the shaping and the conditions of family, in this case for migrants. It is also shown how "legitimate immigrant families" should be constituted according to the state and how this is imprinted with racialized and gendered conceptions (ibid.). "*Gendered constructions of legitimate citizenship and legitimate immigrant families have been manipulated strategically to suit the needs of British economy and politics without giving any concern for transmigrant's own understanding of 'family'*" (Harriss & Shaw 2010:123). The view on family in family-related migration has been based on an idealized white nuclear family, with a male breadwinner and a dependent female spouse, resulting in separating transmigrant families (Harriss & Shaw 2010:117). Fink (2001) adds that the family is homogeneously constructed not only within one nation-state, but within the borders of the European Union. This is then contrasted to "the non-European family", situated outside these borders. Another point is that there is an assumption that family practices and formations within a nation-state are similar, which leads to a hegemonization of some family patterns, for example seen in social policies (Fink 2001:164). Rezaï and Wihtol de Wenden (1998 in Kofman 2000:71) point out that there is a difficulty within family reunification when family is defined as being the nuclear family, but when support networks are wider than this family organization (ibid).

4.3 Favoring or not favoring family reunification

Honohan (2009) discusses family reunification from different angles. The issues raised mainly concern whether family reunification should be favored or not. Some reasons for being favored are that family life is stated to be a human right, that being reunited with their family gives a greater chance to integration into the new society and that living together with one's family is a claim that can be expressed by citizens, denizens and foreigners. Reasons for not favoring family reunification can be the argument that family as an institution is not as important as it once was and also that family may be experienced or practiced in other ways than it traditionally was (Honohan 2009:771-776). It can also be problematic to define what constitutes family; is it

care, economic dependency, which legal and genetic ties should prevail and what consistency should an organization have in order to be called a family? One reason for states not to broaden the definition of family can firstly be to limit the numbers of immigrants. Secondly, a broadening of the definition would obstruct the investigation of family members, as using legal and genetic connections as grounds for assessing family reunification is easier. Another reason to not favor family reunification is by departing from the view that migration is voluntary (Honohan 2009:775-776). Honohan (2009:779-783) also discusses what definition of family should be used and whether it is culturally discriminatory to distinguish between immediate and non-immediate family, meaning the nuclear family and outside the nuclear family, as different cultures organize family life in different ways. Honohan (2009:783-784) suggests an alternative way to understand family and thus also to family reunification which would imply paying more attention to care. With such a perspective people "*who give or depend on receiving immediate care at critical times of life*" would be given admission (Honohan 2009:783).

On the discussion on care, van Walsum (2009) argues that there is a need to have laws and practice that recognize the diversity of family care patterns and life choices. However, there is a risk in changing the laws into focusing on substantive care rather than on formal legal ties. In such a case, for example the "effective family bond criterion" in former Dutch immigration law, that van Walsum gives example of, there are cultural notions on what it is to be a good parent. This could risk disqualifying some parents and hence also family reunification between a child and its parent (2009:236).

4.4 The relevance of this thesis in relation to previous research

From what have been found when searching for previous research concerning family-related migration, my impression is that research often has been conducted by analyzing policies regarding this kind of migration, case studies of migrants with the personal experience of family-related migration or departing from a human rights perspective. The perspective of officials seems to be lacking. How do officials experience the definition of family? How do they experience the possible discrepancy between the definition of family in the migration policy and the applications concerning family reunification? What arguments do they "rely on" in their view on family reunification? Have they problematized the concept of family?

5. Methodology and method

This part consists of considerations and descriptions of how the research project has been carried out. To start with, the methodological considerations are discussed, which to a great extent are inspired by feminist research. Further, the sample, the method of collecting and preparing the empirical material and dissemination of the final product are treated. The last parts regard ethical aspects and the position of the researcher.

5.1 Methodological considerations

5.1.1 Feminist methodological perspectives

The methodology of this thesis has a feminist perspective, or rather feminist perspectives, as different feminist perspectives are positioned differently. This thesis is inspired by various scholars. Feminist scholars have for decades criticized, in main, traditional quantitative research. The critique has for example treated sexist and elitist research topics, research designs selecting male subjects and a relationship between the researcher and the researched characterized by being exploitative (Jayaratne & Stewart 1991:86-87). The issue of knowing is another central aspect in feminist critique of science, which is linked to the above critique. From a positivistic point-of-view the researcher is seen as being objective and knowing, whereas the part being researched is seen as the object and that there between these two parts is a distance (Sprague & Zimmerman 2004:41). This dilemma is, in spite of the pluralism of feminist positions, one similarity between feminist perspectives. The feminist critique consists, essentially, of the view of the researcher and her/his knowledge as neither being contextualized historically, socially and bodily nor being seen as having self-interest in the research carried out (Lykke 2009:130).

Feminist research does not have to be focused on women in order to be feminist (Millen 1997: 2:5). This research has family-related migration and the concept of family in focus. Acker, Barry and Esseveld (1991:134-135) view feminist research as having to be emancipatory and striving for social change. The aim of this research project is to explore the construction and understanding of the concept of family in Swedish legislation on family-related migration and its various implications. Within this mentioned aim, there is also the aim to have an effect on social relations, based for example on gender, sexuality, age, national or cultural belonging, as these relations and how they are understood matter in family-related migration.

The relationship between the researcher and the researched is an important concern in feminist research. As Millen (1997: 3:1-3:6) argues it is neither possible to create an equal relationship between the researcher and the researched, nor desirable. Even though the researched has its own experiences and knowledge, the researcher is the one that has constructed the particular research project. Further, the researcher is the one who has the time and resources to conduct the study and to interpret it with her/his chosen theoretical framework and to put the experiences of the individuals into a social context (Millen 1997: 3:1-3:6). In this thesis, in order to show the contribution of the researched, the term participant will be used, while at the same time being conscious of the above reasoning.

5.1.2 A qualitative research approach

To pursue the research questions in this study a qualitative research approach is used. This is due to the exploratory aim of the research (see *1.2 Purpose*). The methodological considerations are departing from feminist perspectives on conducting research. They also depart from the view that it is not the method per definition that is feminist or non-feminist, in accordance with Lykke (2009:173-176). The research method is semi-structured interviews. The purpose of qualitative research interviews is to obtain subjective views and a more nuanced view of the world (Hesse-Biber & Leavy 2004:3-4). By carrying out interviews with officials at the Migration Board working with family-related migration, the intention is to understand the everyday experiences, practice, ideas and implications of working with the concept of family. The results of this study are therefore not striving to be representative. The point is not to present how many that have shown a certain pattern, but rather which patterns or variations there are among the participants (Trost 2005:121).

Other methodological decisions concern the way the interviews were conducted. The interviews have been individual and semi-structured. The interviews involved five participants. By using a semi-structured approach the interviews are neither as unstructured as an open conversation nor are they strictly following a questionnaire (Kvale 1996:27). A semi-structured interview can have different degrees of standardization, which means to what extent the questions can vary (Trost 2005:19). For this study the level of standardization was low, as the questions were not always asked in the same order, some questions were sometimes reformulated or explained in a

more profound way and the varying answers of the participants resulted in a variation of follow-up questions. In some interviews this resulted in discovering new aspects earlier unknown to me, the interviewer. In the end of every interview the participants were asked whether there was anything else they would like to add, that had not been covered already. In some interviews this lead to a further discussion on different aspects of family reunification. The questions of the interviews followed an interview guide which was thematically organized (see *Attachment 2*). Choosing to attach the interview guide offers the reader a transparency of the questions that were asked, enabling the reader to view the questions and their relevance. However, since the interviews were semi-structured the interview guide is not entirely corresponding to the actual interviews.

In qualitative studies validity and reliability are not discussed, but rather credibility, which enables the reader to assess the relevance and seriousity of the study. By having ethical reflections the credibility can be increased (Trost 2005:113). Such reflections can be found in the part *5.5 Ethical considerations*. Another factor which can increase the credibility is to present the questions asked in the interviews (Trost 2005:114). These are attached in English in *Attachment 2*. Trost (2005:114) also emphasizes the question of objectivity and the relation to the topic for the researcher, as this can have an impact throughout the research process. Reflections on this can be found in the part *5.6 Position of the researcher*. To use quotations from the interviews is another way to enhance credibility and also to give voice to the participants. In this way the reader gets a clearer understanding of how the interpretations and conclusions have been drawn from the empirical material (Franssén 1997:43). I agree with this view and my attempt has been to include a relatively high amount of quotations. Additionally, my hope is that the analysis gets more interesting when the actual statements are presented.

5.1.3 The impact of language
In a research project that involves two languages, the impact of language is a central methodological aspect (González y González and Lincoln 2006). This thesis is a product of using two languages. The interviews were carried out in Swedish and the thesis is written in English. The language which the interviews were carried out in, is the language spoken in the country and in the work-place of the participants. This ought to be an advantage for the people

involved in the interviews, in terms of feeling at ease and expressing themselves in the way they want. Even for me it was easier to carry out the interviews in Swedish, both in formulating interview questions and during the actual interviews, as this is my first language.

The quotations from the interviews are only presented in English, the language of the thesis. This is chosen mainly due to lack of space. The risk is that translations change the content to some degree, as the translation is both linguistic and cultural (González y González and Lincoln 2006:2:1: 5). However, the quotations from the interviews are transcribed, without revealing the identities of the participants, and can be viewed by readers if any questions arise until the thesis is examined and will then be destroyed. The quotations are translated by me, the author. The written resources will only be presented in English, regardless of being translated by me or earlier by other authors. When it is translated by me it is however presented within brackets after the quotations.

5.2 Sample

In order to enable contact with the officials at the Migration Board, I called the national central number of the authority and was given several telephone numbers to different members of the staff at the Migration Board. Finally I got in contact with the head of unit of one of the two Permit Units (Tillståndsenheter) working with family-related migration. This head of unit offered to ask members of the staff at the two Permit Units if there was anyone who would like to participate. The head of unit presented five participants and had also organized two days for the interviews. The way to gain access to the sample of this thesis can be seen as having been using a key person, with the terminology of Trost (2005:119-120), in this case the head of unit of one Permit Unit. Some risks that come with using a key person, can for example be that that person try to offer as interesting or experienced participants as possible or as that person in the end will not be able to help with presenting a sample (Trost 2005:119-120). In this case, though, the key person was helpful. From my understanding, this key person presented the idea to the members of the staff and then they themselves decided whether they were interested or not in being participants. I contacted the five participants via email and set up a schedule for carrying out the interviews.

The way I got in contact with the participants can be said to have been strategic, as due to the research topic the authority in Sweden that works with family-related migration seemed most relevant. According to Halvorsen (1992:102), a strategic sample is common in for example studies with a small sample and where it is of importance that the participants have relevant information to share. The snowballing effect is a way of getting in contact with the participants; where one person gives access to others. This is an advantage when the participants are situated within a closed environment (ibid.), which the Migration Board can be seen as. A further presentation of the sample and the work-place will be made in the part *7.1 Presentation of participants and of the Permit Units*.

5.3 Method of data collection and data preparation

The interviews lasted generally between one and one and a half hour, which corresponded to the information the participants had been given. The interviews were recorded by using a rather large tape recorder. To use a tape recorder can risk creating a barrier between the interviewer and the participant and can hinder creating a relaxing atmosphere. The advantages, such as enabling the interviewer to concentrate to a greater extent on the interview as opposed to having to take notes (Trost 2005:53-54), are considered to outweigh for the possible disadvantages. The participants were asked before the recording started whether they were alright with the recording. Except for one of them they expressed no reluctance to this. After having been informed of the assistance of having a tape recorder, the one who was reluctant was then willing to be recorded. I did not notice any unwillingness from this participant during the interview itself. After each interview I asked whether it was alright to contact the participants again in case of further questions or unclear parts. This was alright for all of the participants. I have been in contact with the participants afterwards in order to ask them clarify some specific aspects regarding for example the legislation. These additional questions are not attached, as they are not considered to be clarifying questions to those that are already attached in the interview guide.

The location of carrying out interviews can be of importance for a study and also for the relation between the interviewer and the participants. Participants are often asked to decide where to locate the interviews, but with suggestions from the interviewer (Trost 2005:44-45). The

interviews took place at their work-place during their work time, which was suggested by me, but the particular room for the interview was chosen by the participant. To have the interviews at the work-place can risk disturbances, according to Trost (2005:44). The participants had scheduled for the interviews. They did not seem stressed or having their minds on their work. Three of five interviews were entirely carried out in a conference room. One of the interviews was initially carried out in the conference room, but because of an interruption when another meeting was due, we moved into this participant's own office. This change of location caused a small interruption. One of the interviews was entirely located in the participant's office. The location is not considered to have enhanced the unequal power relation between the interviewer and the participant, as the location was familiar to the participants and they were the ones who suggested the specific room for the interview.

Transcription of the interviews is another step of the research project. It is also an interpretive process (Kvale 1996:160). The interviews have been transcribed by me alone, resulting in transcripts of between eleven and fourteen typed pages. The entire content of the interviews has been transcribed, except for some parts that were not relevant for the analysis, for example when the participants were talking about earlier professional experiences. The style of the transcribing depends on the use of the material. In this case the purpose of the interviews is to explore the ideas of the participants and therefore, in accordance with Kvale (1997:156), the statements have in some places been reformulated and concentrated. They have also been changed to some extent from spoken language to written language, to facilitate understanding the content. Square brackets are used when I have shortened the quotation or added some clarification to the quotations.

The interviews have been analyzed and structured in relation to earlier research, the theoretical framework and the purpose of the research project. When treating the transcripts some themes emerged as thoroughgoing and were therefore found interesting and central for the topic.

5.4 Dissemination

Dissemination of the study is important to consider, mainly due to two reasons. Firstly, the aim of research is to have an effect and to enable social and political change (Jayaratne & Stewart

1991:103), in this case concerning the legislation on family-related migration in Sweden. My attempt will be to in some way make use of the results, by for example contact officials and investigators in Sweden that are professionally related to the topic. Secondly, dissemination can be important from the perspective of the participants (see for example Trost 2005:93). For them, by reading the final outcome, they might experience that they have contributed to the thesis. During the interview sessions, the participants showed interest in taking part of the final report.

5.5 Ethical considerations

Ethical considerations ought to follow the researcher throughout the research project. One ethical principle in qualitative research is to promote and improve the situation of people (Kvale 1997:104-105). This is one of the aims of this thesis. By exploring the definition and implications of the concept of family in the legislation on family-related migration, the aim is to contribute to a critical view on the concept of family in this area, particularly from a feminist, post-colonial and intersectional perspective.

Informed consent is important as it implies that the participants have been informed of for example the purpose of the research project and the voluntariness of their participation (Kvale 1997:107). As a step of preparation for the participants a letter of information was created (see *Attachment 3*). The key person had committed to forward the letter of information to the participants. At the time of the interviews the participants were asked if they had received and read the letter of information. They were offered a printed version of this letter and the main content of the letter was orally presented before the interviews were begun.

Confidentiality is of importance in a research project (Kvale 1997:109). It was stated both in the letter of information and orally at the beginning of the interviews that I would be the only one with access to the recorded interviews. When transcribing I changed the names of the participants to fictive names chosen by the participants themselves. Concerning the location of their work-place and keeping it confidential, both the specific units within the Migration Board that they worked at and the geographical site, has been quite difficult since these units are only located in some parts of Sweden. In order to protect the location of the units, neither the town nor the geographical location has been presented neither in the transcripts nor in this thesis.

Another dilemma that Franssén (1997:43) raises and that concerns confidentiality is how to ensure that the participants cannot identity the other participants. Since one of them was a decision-maker at one of the units, it is easier to identify this participant. In the end of that interview I asked whether it was alright to present her as a decision-maker, as her answers and knowledge might vary from the other participants, which she gave her consent to do. Only one of the participants were male, which also makes him more easily identifiable. In the beginning of the interviews the participants were asked how long they had been working at the Migration Board and at the unit at which they now are working. These kind of answers can also enable identification among the participants. In order to further protect the identities of the participants the fictive names of the participants are not used consistently, as suggested by Franssén (1997:43). The only exception to this is when for example the decision-maker has stated something that specifically can be stated from the the position of a decision-maker.

Lastly, the aspect of beneficence is important to consider. This implies that the risk of suffering for the participants shall be as small as possible (Kvale 1997:110-111). Since the participants were interviewed in their role as professionals, working as officials at the Migration Board, the risk of violating their private sphere by asking very personal questions is considered to not be imminent. However, there could be a risk in representing the participants in a way that would create a negative view of people working at authorities in general and at the Migration Board in particular. The attempt though has been to describe the participants and their accounts as nuanced and as accurate as possible.

5.6 Position of the researcher

My understanding and analysis of the theories and empirical material used in this thesis are likely to be affected by my experiences, knowledge and personality, why a short presentation of me is needed.[7] Inspired by Yuval-Davis and her view on social positionings (1997:116-133), I would like to add some reflections to presenting myself and my social positionings. Firstly, there is a risk in homogenization of presented positionings. Hopefully though, by presenting multiple

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[7]   For more information on the discussion on situated knowledges, see for example the article "Situated knowledges; The Science Question in Feminism and the Privilege of Partial Perspective" by Donna Haraway (1988).

group belongings and positionings, my position at the moment in this context is made more nuanced. Secondly, how I am identified is not only from my own perspective, but also from how others see and read me. Their reading of me is likely to affect their experience of and with me. Some of the positionings that I present here are the ones that I assume is how people view me. Other ones that are presented are chosen because they seem relevant to me in regard to the topic of this thesis. Lastly, I want to emphasize that the postionings presented here can vary over time and by context, why this presentation should not be viewed in a static way.

My national and ethnic background is Swedish, where I was born, raised and where I now live. My academic experiences mainly consist of a bachelor in social work and I am presently doing a master's program in gender studies. My own experience of family life is to a great extent based on growing up in a heterosexual nuclear family with my mother, father and younger brother. Since I am doing this thesis on the definition of the concept of family in Swedish legislation, my Swedish background will probably both help me in getting a deeper understanding of the text, but possibly also make me biased to some assumptions or facts taken for granted within the Swedish culture and perhaps also regarding cultures from outside of Sweden. I am a volunteer in a non-profit organization for asylum seekers and undocumented refugees. This engagement shows my interest in issues related to migration and has affected my choice of topic and probably also the way I view and interpret the material.

6. Theoretical framework

The theoretical framework is divided into two parts. Firstly, the focus is on the concept of family and different aspects of how this concept can be understood. Secondly, there will be a presentation of the intersectional approach and some concepts that are helpful in the understanding of the concept of family in family-related migration. The theoretical framework is chosen in order to be able to make an analysis from an intersectional, feminist and post-colonial perspective.

6.1. The concept of family

The concept of family has been and is a highly discussed concept. Here it will be explored from the perspective of family sociology and from a critical and feminist perspective.

6.1.1 The development of the "modern nuclear family" in sociology

Within family sociology the structural-functionalist direction gained around the decade of 1952 a hegemonic position, with Talcott Parsons as the most well-known from this perspective (Roman 2004:21-22). The modern nuclear family, based on the system of kinship in the United States, is according to Parsons characterized by a male breadwinner and a "relative isolation". This "relative isolation" means that this nuclear family is relatively unbound by ties to their earlier families regarding accommodation and financial support (Parsons 1964:213-214 in Roman 2004:30). This structural- functionalist perspective separates the economic system and the family system from each other and also men from women (Roman 2004:33).

6.1.2 Critique on the concept of the nuclear family

The "modern family"; the nuclear family described by Parsons, has been criticized from a feminist perspective[8] in different ways over the decades (Roman 2004). The view on the nuclear family as democratic and based on friendship has been criticized. It has been argued that the nuclear family demands a patriarchal society with subordinated women (Roman 2004:45) and that violence, power and work, although unpaid, do exist within the family (Roman 2004:48).

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[8]   The feminist critique is here presented in a very generalized way and is hence not giving voice to different feminist perspectives more than what is considered relevant. For more information on different feminist aspects of criticism on family, see for example "Families and Feminist Theory: Some Past and Present Issues" by Susan Moller Okin (1997).

The feminist criticism has also concerned the way Parsons described the nuclear family as the dominating family pattern during the 1940's and 1950's in the United States, when feminist scholars showed both that a great part of women did have paid work and that many different organizations of family life existed (Roman 2004:52). Bäck-Wiklund and Johansson (2003:294-295) exemplify different ways of understanding families. The assumption of heterosexual relations has for a long time been central in understanding what a family is and should be, but has been questioned and has resulted in a larger openness towards for example other sexualities. This has also led to changes regarding legislation on partnership, marriage and reproductive rights (ibid.). Some other examples of family constellations are separated families that can consist of "*yours, mine and others' children*", single parents (Bäck-Wiklund & Johansson 2003:296), live-apart together (Trost 2003:79) and extended families (Nyberg 2003:194-195). These examples, however, seem to have a Western-centric perspective concerning the organization of family life.

Silva and Smart (1999:7) give an example of how family can be understood in an alternative way; a family is a "*subjective meaning of intimate connections rather than formal, objective blood or marriage ties*" (ibid.). Family life in this view can be organized in separate or common households and last during longer or shorter periods of time. With a fluid and changing understanding of the concept of family, factors such as sharing of resources, caring, responsibilities and obligations are important. A family is about "doing" rather than "being" (Silva & Smart 1999:7-8). This will now be further looked into.

Morgan (1999) understands family as something that is being done and practiced. The family practices are categorized into three sets of agencies. The first set of agency consists of the social actors themselves; parents, spouses, children, kin and is about how they view their family practices, both on an individual and on a collective level. The second set of agency is what Morgan calls more abstract agencies. These are for example professionals, writers of advice columns, people involved with enacting legislation, critics and religious leaders. These agencies can have different views on family, but they distinguish between what is family and not and a functional family or not. The views these agencies have, which can be influenced by their own personal or ideal experiences, can affect the first set of agencies in their family practices

(Morgan 1999:18-19)[9]. It is unclear how Morgan (1999) thinks about the possibility and the consequences of the first two sets of agencies if they depart from different cultural/national contexts but still meet. What conflicts arise when these two sets of agencies meet? What power does the second set of agency have in relation to the first one? In the matter of officials working with family-related migration, operating in one context, in this case in Sweden, are part of the second set of agency. They meet social actors from the first set of agency applying for a residence permit on grounds of family ties. This can be connected to the post-colonial critique on the view of the West and its hegemonic position in for example knowledge production and relations based on subordination *(see 6.2.2 Central concepts in feminist post-colonial theory in relation to family-related migration).* What is viewed as family in the West, affects how people outside of the West can practice family life within a Western context.

According to Morgan, family practices are not only what happen within the time and space usually associated with the family (Morgan 1999:20). In this way family practices can also be for example gender practices, class practices and age practices, because "*family life is never simply family life and that it is always continuous with other areas of existence*" (Morgan 1999:13). In the context of this thesis, it can be added that family practices are also present when it comes to construct cultural/national belonging, meaning how family life is practiced and constructed in Sweden in relation to other cultural backgrounds and/or countries.

6.2 Intersectionality and central concepts in feminist post-colonial theory

An intersectional approach contributes to the understanding of social relations in a more nuanced way, as it pays attention to different social positionings. The concepts of gender, nation-state, ethnicity and culture are closely related to each other, according to for example Yuval-Davis (1997). The theoretical framework is chosen in order to enable an understanding of the concept of family and boundary constructions present in the legislation and practice in the Aliens Act.

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[9]   The third set of agency is the observer, for example a sociologist (Morgan 1999:18-19). This third set of agency will not be developed further, as the former two are found more relevant to the topic of the thesis.

6.2.1 An intersectional approach

An intersectional analysis implies that to enable an understanding of gender relations, other social relations have to be included (Sandell & Mulinari 2006:10). The way people think about and experience themselves and others are affected by memberships in social divisions. A problematic aspect of social divisions is the tendency to naturalize and homogenize them (Yuval-Davis 2006:198-199). Therefore, an intersectional approach implies, according to Yuval-Davis (2006), that social divisions are not additive and are not experienced in isolation from each other. With an intersectional approach, the powerful and the powerless are not easily defined. Different axes of power of social divisions can position people differently, but also, one positioning often results in a similar positioning in another axis of power. Additionally, effects and constellations depend on specific social, political and economic contexts (Yuval-Davis 2006:200). One difficulty in an intersectional analysis is the use of categories, as there is a risk that there are assumptions that the used categories mean the same (Sandell & Mulinari 2006:135). One attempt to try to avoid such a risk is to present and discuss the categories used, which will be made in the following part.

6.2.2 Central concepts in feminist post-colonial theory in relation to family-related migration

Post-colonial theory critiques the hegemonic knowledge production from the West and its consequences, such as geopolitical injustices and relations based on systematic subordination (Landström 2001:7-9). Post-colonialism can be understood as connections between culture and imperialism. Further, it attempts to think beyond boundaries and identities constructed during colonialism, such as national identities. In order to answer such questions, binary oppositions need to be constructed (Eriksson et al 2005:16-18). Feminist post-colonialism shows the connections between gender, racism and ethnicity (Landström 2001:18). With globalization concepts such as "culture", "identity" and "ethnicity" are given greater attention. As Bhabha (2001:86) argues; there are complex strategies in constructing cultural identification in the name of the "people" or the "nation" (ibid.). This can be connected to the issue of controlling immigration and legislation in this area. Brah (2001:192-193) gives the example of Great Britain and how concepts such as "culture", "marriage" and "family systems" have been used in the construction of racialized perceptions (ibid.).

The concept of gender "*should be understood not as a 'real' social difference between men and women, but as a mode of discourse which relates to groups of subjects whose social roles are defined by their sexual/biological difference as opposed to their economic positions or their membership in ethnic and racial collectivities*" (Yuval-Davis 1997:9). The social roles differ depending on the sexual/biological difference as argued by Yuval-Davis (1997:9). One example of constructed differences in the gender system is the view on parenthood for women alternatively for men. Hobson (2002) writes about how men traditionally have not been viewed as fathers but how they now more often are constructed to become fathers (ibid.). Hobson and Morgan (2002:10-11) define fatherhood as "*the cultural coding of men as fathers*" and also how good and bad fathers are discursively constructed (ibid.). Bergman and Hobson (2002:93) argue that there has been a discursive shift in Sweden from viewing men as breadwinners to viewing them as participatory fathers that take care of their children (ibid.).

The nation-state is another central concept when it comes to constructing identity and boundaries. It is also closely connected to the concept of gender. Yuval-Davis (1997:23) shows that gender symbols, gender relations and sexuality are important in the cultural reproduction of nation-states. The role of the women, in particular, is often to be symbolic border guards and to have responsibility for biological and cultural reproduction of the imagined nation-state (Yuval-Davis 1997:23 & 37) and to be the bearers of the collectivity (Yuval-Davis 1997:26).

Nation-state can be understood as a project assuming a complete correspondence between the nation-state and those living within its borders. This assumption has never existed in reality, except on an ideological level. In this way ethnicity is also part of the project of the nation-state in the sense that ethnic boundaries should not cut across the political boundaries of the nation-state (Yuval-Davis 1997:11). The concept of ethnicity can firstly be understood as a mechanism of boundary constructions on a group level (1996:163). These boundaries can be constructed in multiple ways. Firstly, for example by viewing a history or destiny as common or by sharing a common language (Brah 1996:175). Secondly, it can be understood by focusing on the part "ethnic" in the concept, meaning "otherness". The concept has often connoted a sense of minority, hence ascribing ethnicity to minorities (Brah 1996:162-163). This shows also that the understanding of the concept of ethnicity and the correspondence between the nation-state and

the ethnicity of the people creates deviants, which are those that do not conform to what is defined as normal (Yuval-Davis 1997:11). In addition to the deviant, the "other" is also central in the understanding of the boundaries of the collective (Yuval-Davis 1997:46-47).

Cultural practices are also often part of national projects (Yuval-Davis 1997:23). They are central as they define who is part of "us" and not. Yuval-Davis (ibid.) seems here to focus on what is traditionally understood as cultural practices, but it could be added that cultural practices also include a wider set of practices, for example how to practice family life. The concept of culture can be defined in different ways, but in this context the widespread definition; "*a particular way of life, whether of people, a period or a group*" is applied (Williams 1983:90 in Yuval-Davis 1997:40). Culture and the view of culture as being homogenous within a national or ethnic collectivity, has during the last years been challenged and developed into being understood as a result of hegemonization of social processes. In this way internal contradictions are ignored, that exist because of for example different social positionings (Yuval-Davis 1997:41-43).

6.3 How the theoretical framework is applied in the analysis

The parts of the theoretical framework are chosen in order to offer an understanding of how the concept of family is used in the Aliens Act concerning family-related migration and the consequences the definition of this concept have. The intersectional approach is chosen as it affects my understanding of the participants and of the concept of family. The concept of family is affected by several different sets of practices, such as gender, ethnic, cultural and age practices. By combining critique of the concept of family with a feminist post-colonial view on the concepts of gender, nation, ethnicity and culture, the attempt is to explore the practice of family within the hegemonic understanding of what Swedish culture is.

7. Result and analysis

To start with, a presentation of the participants will be done. Thereafter follows a presentation of the Permit Units (Tillståndsenheter), where the participants work. After the short introduction the analysis will be carried out, structured around three aspects, which are "*Understanding family relations in Sweden and at the Migration Board*", "*The problematic concept of the nuclear family*" and "*Gender relations and family-related migration*".

7.1 Presentation of participants and of the Permit Units

7.1.1 Presentation of participants[10]

Elisabet is working as a case officer. She has been working with cases concerning permits for more than 20 years; first at the Police, later at the Immigration Board and currently at the Migration Board, due to organizational changes. She has attended educations held by the Police authority directed at the area of work. **Alexandra** is a case officer who has been having her present job assignments since 2006. She has been employed by the Migration Board for eight years and has been working with different kinds of cases within this authority. Her educational background is as a political scientist. **David** is a case officer and has been working at the Migration Board and the Permit Unit for three years. David is a solicitor. **Isabelle** has been working as a case officer for two years at one of the Permit Units. Her education background is from studying law and she is a solicitor. **Kristina** is employed as a decision-maker at one of the Permit Units. She has been working at the Migration Board and as a decision-maker for around three and a half years. Earlier she has studied law and has been working with different legal matters.

7.1.2 Presentation of the Permit Units at the Migration Board[11]

The interviewed officials all work at the Permit Units in a town in Sweden (see model of the Migration Board in *Attachment 4*). In this town there are three Permit Units and together with

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[10]   Note that the names in the analysis are not used consistently to increase the confidentiality. See discussion in *5.5 Ethical considerations*.

[11]   The information presented here is given by the participants. No references are made to which participant said what.

another Permit Unit in another town they create one division. This division is part of managed migration and citizenship. The participants in this thesis work at two of the three Permit Units of this town. The third Permit Unit in this town is situated in the reception (for more information on their assignments, see *Attachment 4*). The second and third Permit Unit mainly work with cases of priority; the first time applications from people applying from abroad and wishing to come to Sweden on grounds of family ties. These two Permit Units are also responsible for cases of prolonging, when the time-limited permits of the first time applications are in need of prolonging. Another assignment of the second and third Permit Unit is the cases of recalling, which imply for example when the grounds on which the person was granted a permit has ended.

At each Permit Unit there are fifteen employees; administrative staff, case officers, two decision-makers and one head of unit. The approved decisions are mostly made by the case officers alone, but for rejections the applications have to be signed by both an official and a decision-maker.

For the procedure of the first time applications the Migration Board has a goal of handling the application within six months. The procedure starts with the applicant handing in her/his application at for example the Swedish embassy or consulate. The application comes to Sweden at the Ministry for Foreign Affairs (Utrikesdepartementet), then to the unit at the Migration Board in Norrköping that distributes the applications and then to the relevant local office. First a special function does a quick overview and if, for example, the applicants are married and there does not seem to be anything to further investigate they send an assurance of coexistence to the sponsor. When that assurance is signed and is sent back to the Migration Board it comes to the Permit Units for a more thorough investigation. If there is something to investigate further, the sponsor is called to an investigation, i.e. a personal meeting. It is thus not always that the case officer meets the sponsor.

There are some laws that are central in the work carried out at the Permit Units.
For the specific work at the Permit Units the Aliens Act (Utlänningslagen) and the Aliens Ordinance (Utlänningsförordningen) are most central. Regarding granting and rejecting permits

the fifth chapter of the Aliens Act is the most used one. Within the fifth chapter the third, sixteenth and seventeenth paragraphs are the most used ones (for a more thorough view, see *Attachment 1, Aliens Act Chapter 5:3 and 5:3 a*). Chapter seven treats revocation of permits. The thirteenth chapter deals with when there has been a crime committed during the procedure of application.

7.2 Understanding family relations in Sweden and at the Migration Board[12]

In this first part a presentation will be made of some aspects of what constitutes a family in the Aliens Act and at the Migration Board. This part will also elaborate on the role the officials have on the understanding of family in the case of family-related migration.

7.2.1 Points of departure in the legislation regarding the concept of family
In the Aliens Act there is a divide between established and newly established relationships, according to Kristina. If a couple has been together and has lived together for more than two years outside of Sweden, married or only cohabiting, the principle is to grant the applying person a permanent residence permit from the start. If the couple recently has met or married, the applicant usually gets a time-limited residence permit for two years (Kristina). Here the time aspect is present. Kofman (2004:249) has criticized family-related migration for often having viewed family as something fixed. Kofman (ibid.) advocates research where family is seen as fluid and as constantly being renegotiated, which is similar to the view on family that Silva and Smart (1999:7-8) have. In their view, family can be practiced in various ways and can last during longer or shorter periods of time (ibid.). In the Aliens Act and the practice regarding family-related migration the relationship is assessed due to its duration. The kind of residence permit that the applicant is granted depends on the time the relationship has existed. The longer time it has lasted, the more likely it is that the applicant is being granted a permanent residence permit.

According to the participants the most frequent cases concern family reunification within the

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[12]   It should be emphasized that the concepts of nation-state, ethnicity and culture are difficult to distinguish from each other, as they often are intertwined with each other. In the analysis, therefore, they are combined by a solidus when they are found to be difficult to separate or to choose one concept over the other. In the analysis the attempt is to use the particular concept used by the participant in the particular context.

boundaries of a nuclear family. Kristina answers my question:

> "[Interviewer: The most common cases, is it the embassy cases[13]?]
>
> *Yes, they are first time-applications.*
>
> *[Interviewer: And then they are both newly established and also reunification?] The*
>
> *majority of the embassy cases are newly married.*" (Kristina)

This can be connected to the aspect of how the state affects what is viewed as family, as the legislation and the practice might affect which applications of family reunification are made. That this is the case is difficult to prove, but some of the participants think that this might be the case. To submit an application requires a possibility to pay for the application, which Kristina believes can affect the willingness to apply. Kristina expresses the changing rates in applications regarding individuals that apply for family reunification on grounds of joint household:

> "*They are not that many, because, the word is spread, so people know more or less*
>
> *what they can apply for. So there are not that many. A while ago there were a lot of*
>
> *parents and that was when you granted them. Then it declined more and more when*
>
> *you did not grant them. I do not think there are a lot of parents at the moment [that*
>
> *apply].*" (Kristina)

Kristina shows here that she is aware that the law and the practice at the Migration Board are affecting the way people can practice family life. She also shows that what is allowed in one period of time can vary in another period, and then be considered not to be allowed and hence, not to be considered to be family. When Honohan (2009:776) discusses arguments for and against broadening the definition of family, one reason for states not to broaden the definition can be to limit the numbers of immigration (ibid.). From my interpretation this can be related to the above quotation as, according to Kristina, the state changes what is allowed to be recognized as family and then applications decline when the applicants realize what is being granted and what is being rejected.

Families in the Aliens Act need to be based on consent for the individuals involved. Relationships that are not based on consent can be rejected on the grounds that the information given by the sponsor and applicant has been contrarious (Alexandra). In relation to this, marriages of convenience are discussed by some of the participants. The participants follow a

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[13] Embassy cases are when applicants apply at an embassy abroad (Kristina).

resolution from the European Union, called the "*Council Resolution of 4 December on measures to be adopted on the combating of marriages of convenience (97/C 382/01)*" (Official Journal of the European Union 97/C 382/01). If it is discovered that for example the sponsor and the applicant do not have a language in common or if they have never met, the application is rejected (Alexandra)[14]. Polygamy is also not allowed (Elisabet).

However, arranged marriages, i.e. marriages that are based on consent, are allowed, according to Elisabet. She, for example, emphasizes that this is a very common way of entering into marriage in some cultural contexts, for example the Middle East. However, when talking about arranged marriages it seems to be interpreted differently. Elisabet talks about arranged marriages in the following way:

> "*What does one interpret as arranged? Most marriages, especially from the Middle East are arranged. They often marry their first cousins. It is decided at birth that 'my daughter shall marry my brother's son'. That is the way it mostly is. But can one call that arranged? I do not know. We look at if they are not cousins. We mostly look at how often they have met; if they have met before the wedding or not at all? Arranged marriages are usually connected with authorized marriages [which means] that somebody sends in an authorization from here to somebody down there who represents the person in Sweden at the wedding or at the marriage registration. Those cases are a bit complicated and one has to assess each case individually.*
> *[Interviewer: Are there a lot of those cases?]*
> *I have not had that many. [...] If they never have met or they do not share a language, then I reject it. I have not had directly an arranged marriage. I have had colleagues that have had investigations with sponsors here in Sweden where they have been forced into a marriage and express clearly that they do not want that man to come and want us to reject the application.*" (Elisabet)

Elisabet is aware of the fact that arranged marriages are common in some parts of the world. When asked about arranged marriages and how the participants assess these applications she

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14   Compare with the legislation in the Netherlands on prevention of marriages of convenience in the part *3.1 Patterns of family-related migration in Europe*.

talks about these marriages in a problematic way, for example as not being based on consent or having the characteristics of a marriage of convenience. Brah (2001:192-193) shows that the concepts of "marriage" and "family systems" can be used in order to create racialized ideas (ibid.). Even if there is awareness among the participants that different ways of family practices exist, the ones that are not consistent with the Western view built on the free choice of the two partners are linked to problematic relationships characterized by coercion. No example is given by any of the participants of a happy arranged marriage. The example also shows how the sponsor wants help from the officials at the Migration Board and that the desirable way of practicing family life is in line with the way it is done in this country. This can be analyzed from a post-colonial perspective. A divide is made between the West and other parts of the world and this divide positions the West on the top of the hierarchy (Landström 2001:7-9). The best way of practicing family life is to do it the Western way, seems to be the underlying message in the quotation.

7.2.2 Living together

To live together is important according to the officials at the Migration Board when assessing a family relationship:

> "*There is nothing that indicates that there will be an expansion of what a relation is. [...] A common relationship in Sweden is often that you actually live in different apartments. You still have an entirely real relation, just as real as those who live under the same roof but may sleep in separate bedrooms. The possibility to get a [residence] permit on such a relationship is non-existing. [...] If you from the beginning intended to live together in Sweden, but discover that it does not work out... but you still have a relation even if you live in different apartments... In a situation of prolonging we would have said that the relation has ended, even though it has not. 'No, you have to move back in together, or you're out'.*" [Last sentence said in a humorous way.] (Isabelle)

Here it is shown that the same views on what constitutes a relation or a family for people permanently living in Sweden or being Swedish do not apply to foreigners or to couples where one of the partners does not have a Swedish residence permit. This is an example of how the state in policies and practices decide what a family is and not, argued by Harriss and Shaw

(2009). As Isabelle points out, it is not an unusual family formation in Sweden to have a relationship without living together, so called live-apart together. One central aspect of the feminist critique of how the family has been described has been how other family formations outside the heterosexual nuclear family have been ignored (Roman 2004:52). By instead applying an understanding of family as Silva and Smart (1999:7) suggest as a "*subjective meaning of intimate connections rather than formal, objective blood or marriage ties*", a relationship consisting of two people not living together could still constitute a family. By using the words of Morgan (1999:18); the social actors themselves, the first set of agency, practices what family is for them, which for example can be to choose to live apart. As Lundqvist and Roman (2008:217) point out, the view on family has in Swedish domestic family politics for decades emphasized ideals such as autonomy and economic independence. This can be seen in contrast to how family life can be practiced from the point of view of the Aliens Act and the importance of living together.

7.2.3 Changing the definition of family in the legislation?

One of the themes that the interviews treated were if the participants could think of, or find it useful, to organize the work on family reunification differently or to define the concept of family in the law in another way. Isabelle reasons as follows:

> "*To me the nuclear family is spouses and children. That is what is in the law[15]. […] You mean if brothers and sisters also should be included? […] Or are you thinking of aunts? […] There has to be a limit somewhere, because if you include brothers and sisters and all the relatives, then you drag in an entire village, an entire town. Then one is an aunt of another. I do not think that that would work out. […] Once again, one take the step oneself to move to another country. That is the choice one makes, then one has to take those parts [i.e. the consequences, for example being separated from your relatives].*" (Isabelle)

Isabelle describes what family is by connecting it to legal and blood ties and how close the blood ties are. When giving examples of how the definition of family could have been defined differently, the departure is from relations that are closer or less closer connected to blood ties. This is a narrow and also contested view on what family is. Family can be organized in various

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[15]   For more information on the definition of family in the Aliens Act, see *Attachment 1*.

ways; such as extended families (Nyberg 2003:194-195) and "*yours, mine and others' children*" (Bäck-Wiklund & Johansson 2003:296). The traditionally used ties for defining what family is, are here blurred and mixed. One example of how family can be understood is given by Silva and Smart (1999), as being fluid and changing and depend on factors such as care, sharing of resources, responsibilities and obligations (Silva & Smart 1999:7-8). This view does not seem to have influenced the shaping of the Aliens Act to a great extent. In the research by Honohan it is discussed for example whether family reunification should be favored or not, and hence also whether the definition of family should be broadened or not (Honohan 2009). Honohan raises the question of the difficulties of what the definition of family could be instead, as it is difficult to define what constitutes a family. Should it be based on care, economic dependency, legal or genetic ties? What consistency should be demanded before a family can be called a family? A broadening of the concept would also change how the officials work with these cases. The way it is currently defined, family reunification is mainly justified by legal and genetic ties (Honohan 2009:775-776). When it comes to the aspect of care and whether it should be a criterion for family reunification or not, it is important to keep in mind the risk of assessing whether the parent is a good or bad one, an aspect raised by van Walsum (2009:236). Furthermore, Vatz Laaroussi (2001 in Kofman 2004:249) argues that research on family-related migration needs to be conducted in a more nuanced way and paying attention to the diversity of relationships. It is important to keep in mind that research can be relevant and have an impact when legislating.

In the quotation by Isabelle there is also the aspect of having a regulated immigration apparent; too broad a definition of family would result in an increase of immigration to Sweden. As Honohan (2009:775-776) points out, one of the reasons why states have chosen a narrow definition of family is to limit the immigration. This also shows that understanding family differs between the ones who are inside the borders of the nation-state and who is outside and wants to enter. For the ones outside there is a greater emphasis on which their family members are. If their family is considered big, "*then you drag in an entire village, an entire town*" (Isabelle). This kind of reasoning shows that it might not be the family that is most central in family-related migration, but rather the number of immigrants.

7.2.4 The second set of agency in understanding the concept of family

To depart from understanding family as being practiced, as Morgan does (1999), is useful in this context. The officials at the Permit Units belong to what Morgan (1999:18-19) calls the second set of agency. In the case of these officials, this implies that they are abstract agencies and are related professionally to the concept of family and what family is and is not. Even though they do not enact laws related to family reunification migration, their view and their decisions are likely to have an impact on the first set of agency. One concrete example is expressed by Kristina as a decision-maker when talking about alternative ways of working with this kind of legislation:

> "*One never knows what will happen during the day when one comes in the*
> *morning. It is incredibly fascinating. But at the same time, there is no room for, at*
> *least not for me... I have never been especially interested in politics in that way,*
> *because then I had entered into it [i.e. politics]. I devolve it to the politicians*
> *instead and then I feel that, just give me the tools. If it is really weird then of course*
> *one might try to do something about it, but it has to go the right way. It is not me as*
> *a single decision-maker. I prefer to go upwards [...] in the organization,*
> *considering that the Board is a consultive body...*" (Kristina)

Kristina also says that they have a legal unit that they can consult when they need instructions or guiding decisions. The decisions-makers also have a coordination group:

> "*We also have a coordination group, where there are legal experts who meet on a*
> *regular basis. Then one can take with oneself some questions that we feel we have*
> *to raise. That is what I mean, there are always channels to raise things...*" (Kristina)

The staff at the Migration Board has possibilities to have an impact on the work and the legislation through the different channels that Kristina is talking about. Even though some of the participants, for example shown in the quotations above, emphasized that their personal opinions do not matter in their job as officials, nor that their job is to question the law, they did not seem to find the definition of family in the legislation to be odd. The aspects, though, which they did find problematic are influenced by their view on family, which is culturally biased. This can also imply that what is raised as problematic is what is in relation with what is considered to be family within the borders of the nation-state Sweden. As emphasized by Yuval-Davis

(1997:41), culture has traditionally been understood as being homogenous within a national or ethnic collectivity. This conceptualization has been challenged and changed (Yuval-Davis 1997:41), but it is still likely that the view on family is affected by the hegemonic view on family in this cultural context.

Another example of the impact the officials can have, is for example when making a decision regarding family reunification, which is directly affecting the individuals in the first set of agency. To affect the first set of agency can also be done when the officials are explaining on what grounds family reunification can be granted, i.e. defining what a family is and is not. As Morgan (1999:19) points out, the view the people within the second set of agency have on family can be influenced by their own personal or ideal experiences. The origin of individual experiences is likely to be affected by the cultural origin of these people. According to Yuval-Davis (1997:23) cultural and traditional practices are often part of the nation-state building. The cultural practices of the officials are a part of what is constituted as being part of and being located within the borders of the nation-state Sweden. Even if the officials might have other cultural/national backgrounds they are presently professionally participating in an authority in Sweden, which presumably has affected them.

The fact that the definition of family in the Aliens Act of Sweden is a cultural product is expressed by some of the participants when answering the question if and what they have thought about the definition of family in the legislation and the Aliens Act departs from an understanding of the family as the nuclear family:

> *"No, I have not, I find it quite self-evident. But, of course, I was born and raised here... I think the nuclear family is correct, because there is a possibility also for close relatives outside the nuclear family to under some prerequisites be granted a residence permit, even if it is not as certain. […] I do know that in many of the countries we are dealing with here they […] are living in a different way. That is how we used to live here during the agricultural society. You lived together over the generations. I can understand that people from such cultures have difficulties in understanding our legislation."* (David)

This quote can be analyzed by using the theories by Yuval-Davis (1997:11) on the assumption of

a complete correspondence between the political boundaries of the nation-state and the ethnic boundaries of the people residing within the nation-state. There is an idea that during a certain time in history in Sweden "*[t]hat is how we used to live here*". During that time that was how family was practiced in Sweden, is what is expressed by David. There is also a construction of a "we" in the quote, which shows how there should be a shared national identity. By connecting cultural practices to what is belonging to a specific nation-state (Yuval-Davis 1997:23) and by understanding family practices as cultural practices, the description of "*how we used to live here*" can be seen as a description of what being Swedish is and is not, which is a binary construction, by using the words of Eriksson (et al 2005:17-18). The concept of culture has been challenged as the concept tends to hegemonize different social processes (Yuval-Davis 1997:41). By describing how "*we used to live here*", internal contradictions of family practices in that historical context are ignored. To not question the nuclear family as being the hegemonic family formation in the Aliens Act of Sweden, is doing the same. Presumably, the participants are aware of the fact that different family formations exist in present-day Sweden, shown for example in the quotation on living-apart together (see *7.2.2 Living together*), but still there is a hegemonic view that family life in Sweden equals living in a nuclear family. This hegemonization of some family practices within a nation-state affects for example social policies, argued by Fink (2001:164). In relation to this, how are then those living in other family formations in Sweden considered, both those that are considered "ethnically Swedish" and those who are not but still live in Sweden? Yuval-Davis (1997:11) argues that the project of the nation-state and the assumption of a complete correspondence between the borders of the nation-state and of the ethnic borders creates deviants.

The quote, "*[t]hat is how we used to live here*", can also be understood as seeing family as something that can change. "*We used to live in one way, now we live in another*", is somehow the implicit meaning. In that view it can be connected to understanding family as something fluid and changing, which is argued by for example Morgan (1999:29). Also, if the concept of family used to be understood in one way, then it can change and be understood in another way in the future, which also could lead to a change in the legislation on family-related migration. However, this seems only to regard families within the borders of the Swedish nation-state. Regarding families outside these borders they need to practice family life in correspondence to

the idea of the nuclear family in order to be granted a residence permit on grounds of family ties.

7.3 The problematic concept of the nuclear family

In this part the concept of the nuclear family will be problematized in relation to family-related migration. The three aspects that will be treated are children that have turned eighteen years, joint households and relationships of dependence and lastly, how the view on kinship in Somalia is affected by the legislation in Sweden.

It is apparent in the legislation that some relations are considered as constituting family and others not. For some relations it is easier to be granted a residence permit on grounds of family ties, for some relations it is more difficult but still possible, and for additionally some relations there is a very small possibility to get admission. The way the legislation has been written and the view on family is contrasting with the view on family advocated by Silva and Smart (1997). In their view a family can be organized in multiple ways, such as sharing a household or not, lasting during longer and shorter periods of time and sharing of resources, caring, responsibilities and obligations (Silva & Smart 1997:7).

In the Aliens Act of Sweden the concept of family departs from the nuclear family, consisting of two parents and children under the age of eighteen years sharing a household. For the members of such a family formation it is stated in the Aliens Act that they shall be granted a residence permit (see *Attachment 1, Aliens Act, Chapter 5 § 3*). However, there are problematic aspects of using this concept to define family, which also the participants give different examples of. The description and usage of the nuclear family as the dominating family formation has been criticized from a feminist perspective, for example as there are and always have existed many different organizations of family life (Roman 2004:52).

7.3.1 Children over eighteen years

One of these problematic aspects, that the participants point out, is when a child just has turned eighteen years and thus is over age and does not any longer, according to the Aliens Act, belong to the family. There can still be possibilities for that person to be granted a residence permit on grounds of family ties, but then stronger reasons have to apply. Such a possibility can be,

according to Alexandra, if the child has lived together with the sponsor and the child applies within a certain period of time. Isabelle expresses it in the following way, when answering what is included in a family in the legislation on family reunification:

> "*Mum, dad, children under eighteen. […] That is a family. It is the nuclear family. Unfortunately.*
>
> *[Interviewer: What do you mean by unfortunately?]*
>
> *What do you do if you are eighteen? Then you are not family. […] 'This is my child! We are a family!' 'Yes, but not according to the law.' […] Then you are too old."*
>
> (Isabelle)

The usage of this definition of family is very close to the traditional view of family described by Parsons (see for example Parsons 1964). It is also in line with what previous research has concluded. Honohan (2009) highlights that the family is often described as the nuclear family, which is a cultural construction. Kofman (2004:250-253) also shows that different stages in the life cycle affects migrants within family-related migration differently (ibid.). To this definition in the legislation and this mentioned research, the view that family practices consist of several different practices argued by Morgan (1999:13), can be added. Age practices are one such set of practice which is exemplified by Morgan (ibid.). When being of a certain age, certain practices are at hand. When being under eighteen years, then being dependent of one's parents is allowed and viewed as "normal". After turning eighteen years old new practices and new expectations apply, which is viewed for example in the legislation on family-related migration in Sweden. In contrast to Swedish domestic legislation, such age practices are not as apparent. When a child turns eighteen years old in Sweden many things change, but the child is not forced to live on its own and be totally independent. In the case of a migrating family with the desire to reunite in Sweden, it is of importance that the practices in relation to the family practices are propitious or the application for family reunification risks to be rejected.

7.3.2 Joint households and relationships of dependence

In the Aliens Act it is stated that a residence permit on grounds of family ties can be given to a foreigner who is a close relative to someone in Sweden "*if he or she has been included in the same household as that person and there is a special relationship of dependence between the relatives that already existed in the home country* (see *Attachment 1, Aliens Act, Chapter 5, §*

3a). David explains how joint households are viewed:

> "*Joint households are when one has been part of the same household before one came to Sweden. [...] There is this family; mother, father, children. This man [the father] has a mother. That mother is all alone there, she has never lived with anyone else and the only family she has is those and she applies [for a residence permit] together with the woman and the children. [...] In the right time. After this central person [the father][...] has received a permanent residence permit in Sweden it cannot pass too much time before they apply to Sweden... It shall be done quickly. [...]*
> *[Interviewer: How much joint household does there have to have been?]*
> *One has to apply in the right time, that is, within a certain time. Then one has to be so dependent of each other that they have lived the entire time together.*" (David)

What is emphasized here is that the applicant and the sponsor have lived together, that there is an existing relationship of dependence between them and that the applicant apply for family reunification as soon as the sponsor has her/his permanent residence permit. David exemplifies by describing a nuclear family and the parent of the husband in that family. This description is departing from the view that in order to have a relationship of dependence, there also has to be some kind of blood tie. Silva and Smart (1999:7) suggests that instead of using the ties based on blood or marriage, family could to a greater extent be defined by the people practicing family life (ibid.). The explanation made by David shows that what is family has to fit in with the way the Aliens Act in Sweden has been defined.

Alexandra is describing the view on joint households similarly as David:

> "*... it is most often the parents, such as the mother or the father that apply on the child in Sweden [when it concerns the joint household requirement]. Then we have the older parents, the old parents that apply on their adult children in Sweden. There are those two. [...] In many Somalia cases, many aunts apply on their brothers' and sisters' children. That is very common. They are rejected right away.*
> *[Interviewer: They are?]*
> *Yes, because there is no relationship of dependence.*" (Alexandra)

As well as described by David, the blood ties are the grounds for joint households and

relationships of dependence. There is also a line for when blood ties apply, as applicants that are aunts or uncles of the sponsor are "*rejected right away*". According to Alexandra there is no doubt that there is no relationship of dependence between these relatives. There does not seem to be any investigation on whether a relationship of dependence can exist. This is another example of how the concept of family is not understood in terms of fluidity and change in the legislation. Instead it is very similar to the view on family as being relatively isolated from the earlier families of the new family, according to Parsons (1964 in Roman 2004:30). By adding the understanding of family that Silva and Smart have (1999:7-8), family is then understood rather as something that is about "doing" instead of "being". Family can in this view be organized in separate or common households and last longer or shorter periods of time. Other factors that also can affect how family life are being practiced are how resources are shared and how caring, responsibilities and obligations are organized (ibid.). Regarding cases of family reunification that concern people that not directly are part of the nuclear family, a possibility is opened for a wider view on family, as they can apply on grounds of joint household and relationship of dependence. However, this possibility is only available for a small amount of cases. The applications need to conform to what is considered in the legislation and by the officials to constitute close enough blood ties and relationships of dependence. How the legislation is defined and how the officials talk about this issue is likely to be affected by the national/cultural context in which the legislation is enacted and the officials operate. By seeing family practices as part of cultural practices, family practices in Sweden also show what is part of Swedish culture. From a post-colonial understanding the way the legislation excludes and does not acknowledge other kinds of family practices, the West is subordinating other parts of the world, similarly to what Landström argues (2001:7-9). Culture and imperialism are connected, argued by Eriksson (et al 2005:16), which is visible in the legislation on family reunification in Sweden, as there is a hierarchy between which family practices that are acknowledged. The legislation also differs between to which extent different family practices are acknowledged. This is seen in paragraph 3 and 3a in Chapter 5 of the Aliens Act (see *Attachment 1*). In paragraph 3 the relations that *shall* be given residence permit are listed, whereas in paragraph 3a the relations that *can* be given are dealt with (see *Attachment 1*). Honohan (2009:779-783) raises the question of whether it can be seen as culturally discriminatory to separate between immediate and non-immediate family members, as family is being done differently in different cultural contexts (ibid.). This also

shows that family practices are connected to other kinds of practices, such as cultural ones, as argued by Morgan (1999:13).

Another aspect concerning which relations that are approved or acknowledged is discussed by Elisabet. I asked if Elisabet had thought of different ways of organizing family reunification in the legislation:

"*[Interviewer: I mean, close relations, without blood ties, if they could be looked upon as family?]*

I have had a case where, it was really cute, I think it was a man who applied on his friend in Sweden. He wanted to be here for some years and wanted to see whether he liked it or not. If he did not like it he would go back. But I cannot send a questionnaire to the man in Sweden and ask him if he is in love with that person, if you are married and things like that, I cannot do that...

[Interviewer: Yes, exactly, because those are the kinds of questions, are they?]

Yes, exactly.

[Interviewer: If it is a love relation?]

Yes, or joint household or family relations. There is no section of the law where he can be admitted a residence permit. He can be admitted visaing, but not a residence permit, unfortunately." (Elisabet)

In this quotation it is shown how the law and the Migration Board decide who can apply and hence also the view on family and close relations. In the example by Elisabet it is shown that the questionnaire is adjusted to fit with the view on family within the Swedish context. There is no space for friendship to constitute such a close relationship, neither in the law nor in the questionnaire. Even though this man in the example did not seem to apply firstly due to reasons of reunification but rather on moving to another country, it is a clear example of how there is in the Aliens Act a certain view of what is family, which is quite distant from the view the fluid and changing understanding that Silva and Smart advocate (1999:7-8).

7.3.3 Kinship and the example of Somalia
The fact that the nuclear family is a cultural product of Western descent is also discussed by Isabelle in how family life is structured in Somalia and how that can obstruct the possibility for

family reunification in Sweden.

> "*Our view on family [...] does not fit in at all with, for example Somali family*
> *structure. [...] There the family structure is based on the father. For example if you*
> *have an orphan, then it is the relatives of the child on the side of the father that take*
> *care of it. Regardless of why. They [the parents] do not have to be disappeared. It*
> *might be that they cannot afford taking care of [all] their children and therefore*
> *they give it away to a richer relative on the father's side. Then the child has lived*
> *together with them for many years and the father is going to his wife in Sweden.*
> *Then they get to take the children they have together, but not the child that they*
> *have taken care of the entire time, even if that child sees them as their new parents.*
> *[...] There is no possibility for them to come here. Neither do they have a possibility*
> *to present a document that they are adopted, as their system of adoption does not*
> *work entirely as others. Nor do we accept their adoptions, because we do not*
> *acknowledge authorities in Somalia.*" (Isabelle)

Morgan (1999:18-19) has developed a terminology of three set of agencies. Here is an example
of how the first set of agency, the social actors themselves, in one context, the Somali one, do
not correspond with the second set of agency in another context, the Swedish one. What the first
set of agency views as family, is not family according to the Aliens Act in Sweden. The way the
first set of agency practices family life in this case is distanced from the Swedish cultural
context by the second set of agency by giving it a cultural explanation. "The other", a central
concept in the construction of collectives (Yuval-Davis 1997:46-47), is here those who organize
kinship differently than "we" do. One central aspect in post-colonial theory is the subordination
of what is associated with non-Western ideas and practices (Landström 2001:7-9). The other
way of doing family is in the experience of the official acknowledged, but is still subordinated
and unacknowledged in the legislation. The Somali way of organizing family is not what Harriss
and Shaw (2009:117) would define as "*legitimate immigrant families*", as families of migrants
should be constituted according to the state. Honohan (2009:779-783) even suggests that this
could be discriminatory, as different cultures organize family life differently. Bäck-Wiklund and
Johansson (2003:296) discuss how there are different family constellations, however from a
Western point-of-view and mention among others the example of "*yours, mine and others'*
children". Even if these authors probably did not have the kinship of Somali in mind, their

example could be applied to this family constellation.

Above was discussed how there can be a conflict between practice and legislation, which also have been seen in earlier parts. Another conflict regarding this discussion is the one between the official as a private person and an official. What space does the official have in assessing the cases and what space does the official wish to have? How is this experienced by the officials working with these cases? Do they re-think their understanding of family when being confronted with other family formations in their professions? Even though the officials reason around the concept of family they still have the legislation in Sweden to follow, which is including only some family formations.

The above quotation can be connected to the quote by Morgan (1999:13) that "*family life is never simply family life and that it is always continuous with other areas of existence*". The cultural practices in Somalia affect and shape family practices, which especially becomes clear when these practices are confronted with other family practices that are shaped by other cultural practices, shown by the participants. The family practices that are affected by cultural practices in Sweden and have gained a hegemonic position in family formation, do not converge with the one in Somalia that Isabelle is talking about.

7.4 Social relations in family-related migration

In this third and last part of the result and analysis the concept of family regarding family-related migration will be explored from how different social relations and positionings are constructed. The aspects that are in focus are how fathers-to-be are treated in family-related migration, how "we" are constructed by the officials and which gender norms are inherent in the understanding of the concept of family in this kind of migration.

7.4.1 "Pregnant daddies"

One of the latest changes in the legislation that is brought up by one of the participants, is what is referred to as "pregnant daddies", according to Elisabet. This implies a change in how the officials assess cases with couples that are going to have a child or already have a child and where one of them does not have a residence permit. The rule has been that a residence permit

must be applied for from the country of origin. Due to physical reasons, for example restraints on flying for pregnant women when later in her pregnancy than seven months, women have often been excepted from this rule and has been allowed to stay in Sweden. However, she has only been allowed to stay until she has given birth and then she has had to return to her country of origin and apply from there, according to Elisabet. The rule now, since the first of July 2010, is to facilitate for couples to apply for a residence permit on grounds of family ties when being in Sweden, as opposed to from an embassy, if one of them is pregnant. Elisabet says that this change prevents families from being torn apart. She also says that:

> "[i]f the sponsor is a woman and is pregnant, she needs her man during the pregnancy. He is supposed to be there for her. But if we deport him it can get a bit lonely. The point is not to tear a family apart." (Elisabet)

What is emphasized in this quotation, except from enabling a family to stay together, is the importance of the man to support the pregnant woman. This is interesting from a gender perspective as it departs from constructed gender roles. Yuval-Davis (1997:5-6 & 9) shows that women and men in the gender system are given dichotomous positions, for example women belonging to nature and men to culture. One of the central roles of women in the gender system is motherhood and to bear children, for both the particular family and the nation-state (Yuval-Davis 1997:23 & 37). Bergman and Hobson (2002:93) show that the gender role for men has changed, from having developed into also being constructed around fatherhood. In Sweden, for example, this is seen as making men into participatory fathers (ibid.). In this way the Aliens Act can be understood as encouraging the parents-to-be to be together and to both be part of the pregnancy. Also, the legislation can be seen as supporting a new construction on masculinity. From another aspect, the way Elisabet describes the change in the legislation is almost reproducing traditional gender roles. The role of the father-to-be seems to be to support the mother-to-be, rather than to be in need of support himself. This can be understood from the idea that motherhood is a central role for women, as argued by Yuval-Davis (1997: 23 & 37). It can also be seen as reproducing the traditional view of the role of the man to be the head of the family, to be protective and strong.

7.4.2 "We"- constructions

During the interview the participants sometimes talk about the emotionally difficult situations

that can occur when working as an official with these kinds of cases. Alexandra talks about two different situations that she seems to find especially difficult. The first quotation regards the situation where women are to a greater or less extent involved in marriages of convenience and where the women in Sweden express that they do not want the planned men to be able to come:

> "*If they [the women] ask what they can do in order to not let the person come to Sweden. [...] Because, as a woman to hear another woman cry and say 'I do not want to, I cannot, my family will kill me'.*" (Alexandra)

In the second quotation Alexandra talks about boys that have arrived unaccompanied to Sweden and then will get the decision that their families cannot be admitted to be reunited with the boys:

> "*To write a rejection, it can be painful for me as an official. I sit in a room with a young boy at 14, 15, 16 years who wants his mother and father to come. Then to write the decision of rejection and claim that 'no, there is no relationship of dependence between you', due to the fact that the parents have sent him. That is very tough. I think it is really hard to write those rejections.*" (Alexandra)

In comparison between the two quotations there are different reasons expressed why these situations are found especially difficult. In the first one Alexandra emphasizes the gender in common, that they are both women, and in the second one it is the young age of the boy. In the first quotation, as opposed to earlier quotations, there is an expressed "we" between the official and the applicant. In many other quotations there have instead been a separation between "them", being the sponsors and applicants from distant cultures, and "we", being the officials and the people of Swedish origin. This shows that "we"-constructions are founded on different grounds and is affected by the particular context, as argued by (Yuval-Davis 2006:198). A central argument in intersectional thinking is how the assumption of membership in different social divisions affect the way people experience themselves and others (Yuval-Davis 2006:198). Mostly in the context of this thesis the constructions have been related to belonging nationally, ethnically and culturally (see for example *7.2.4 The second set of agency in understanding the concept of family* and *7.3.2 Joint households and relationships of dependence*). In the quotation regarding the woman, however, gender belonging is the central "we"-construction. In the second quotation, about the young man, the difficult situation is not based on a "we"-construction. Alexandra and the young person neither share the same gender

nor the same age. The difficult situation is rather based on Alexandra being an adult and is affected emotionally by the situation where she has to give the decision to a young person that his parents will not be admitted to come to Sweden to reunite with him.

Within the first quotation I find also the aspect of national belonging to be present, which can be interpreted from a post-colonial perspective. In the construction of boundaries, for example the boundary of a nation-state, binary oppositions are constructed (Eriksson et al 2005:17-18). The woman is in Sweden and is hoping to be helped to not have her husband or husband-to-be to come. This can be interpreted as the way family and marriage are practiced in Sweden is the "right" and the "best" way and that this woman is happy to have come here. The "other", that is the woman, is now within "our" national borders and have found the way of this nation-state to be better and in this way the nation-states where arranged and marriages of convenience are practiced are subordinated. The idea of the hegemonic position of the West, criticized by for example Landström (2001:7-9), can in this way be reproduced.

Another aspect of how "we"-constructions are made is by adding the context of the European Union. According to Fink (2001:164) there is a view on family as being homogeneous within not only the nation-state, but also within the European Union (ibid.). The examples on cases the participants give concern families from the Middle East and Somalia, which are situated outside the European Union. This can be due to that people from these parts of the world often apply for residence permit on grounds of family ties. However, it is interesting that there does not seem to be any problematizing on how families from for example other parts of Europe practice family. Are the officials thinking that families are practiced similarly within the European Union? Or is it just that most cases concern applicants and sponsors from these parts of the world? This is another example of how the feeling of a "we" is contextual and changing, in line with Yuval-Davis (2006:200). Before the European Union existed such a "we" would probably have existed to a much smaller extent.

7.4.3 Gender norms

Much feminist research has criticized the general departing from the man and heterosexuality as the norm (Bäck-Wiklund and Johansson 2003:294-295). This can be seen in different aspects of

the accounts of the participants, even if some of them emphasize that there also can be different situations. This is how Alexandra explains how the cases of family reunification often work:

> "*It is the man as a rule that has come here and sought asylum. He has the woman and the children in the home country. They have been a family before they came to Sweden and of course they shall be able to reunite, as soon as possible. And as a rule there is nothing strange, not in the cases that I have had.*" (Alexandra)

Kofman (et al 2000:65) argue that there has been a masculinization in family-related migration. Alexandra describes in the above quotation a typical case, but she or none of the other participants seem to have experienced the increase of men in family-related migration. At least it is nothing that is raised in the interviews. Instead, the description follows the idea of the male asylum seeker and that family-related migration is a "female" consequence, in line with Kofman (2004:248).

Another idea that follows through the accounts of the participants is the idea of the heterosexual relationship. Even though people in same-sex relationships also shall or may be granted a residence permit on grounds of family ties, these relationships are not mentioned or given as an example, unless the participants are specifically asked about these kinds of relationships. Kristina describes what a family is according to the Aliens Act:

> "*[...] Yes, husband, wife, cohabitant and children under eighteen years. That is a family. There is nothing else.*
> *[Interviewer: And even same-sex couples?]*
> *Yes yes, one must not separate that [from the nuclear family].*" (Kristina)

To depart from the understanding of families being founded on heterosexual relations has been criticized. A more open view on sexualities has resulted in changes in various laws (Bäck-Wiklund and Johansson 2003:294-295). One example can be that same-sex couples have legal rights regarding family reunification in the Aliens Act. The participants, however, mainly discuss family reunification by departing from heterosexuality. The participants are aware of these legal rights and some of them give examples of cases they have had which have involved same-sex couples. Still, the heterosexual norm is dominant.

8. Concluding remarks

The purpose of this thesis has been to explore the way the concept of family is defined in the legislation on family reunification in Sweden and what consequences this definition have on cases related to this kind of migration. The concept of family has been explored from the perspective of five officials at the Migration Board working with family-related migration. The theoretical framework has been divided into two parts. Firstly, the concept of family has been critically treated. Secondly, intersectionality connected to some central concepts in feminist post-colonial theory have been presented and discussed.

8.1 The definition and understanding of family in the legislation and practice among officials in family-related migration

The concept of family is defined and understood in quite a static way, giving priority to blood ties and legal ties, which includes relations such as under-aged children, parents, spouses and cohabitants. Same-sex relationships should not be distinguished from heterosexual relationships, but are not raised as examples of what a family is by the participants. To live together seems to be another important aspect of how family is practiced. A residence permit can be given on grounds of family ties to relations such as children over eighteen years and to old parents, but then the applicant and the sponsor have to have been included in the same household before and there also has to be a special relationship of dependence between the two, according to the Aliens Act chapter 5, paragraph 3a (Utlänningslag 2005:716b). The participants often speak of the concept of family as consisting of the above mentioned relationships. In this way family in the legislation is viewed as being static and easily defined, which is a too unproblematized and also contested view of the understanding of the concept of family, shown for example by Roman (2004). However, there are also reflections of for example how family in Sweden has changed during the last hundred years, showing a changing aspect of the concept.

8.2 The concept of family and its implications for the applicant...

Morgan (1999:13) argues that family practices are part of other practices. This is shown in the accounts of the participants in several ways. Family practices are in the context of family reunification done and understood together with practices based on for example culture, gender, sexuality, age and national belonging. It is of importance that these practices conform with the

family practices that are acknowledged in the Aliens Act or the application risks to be rejected. This can for example be seen when children turn eighteen years old and suddenly need to prove that they have a relationship of dependence with their family members. It can also be seen in the case of the Somali family structure, where there is a cultural practice of relatives on the father's side to take care of children that cannot live with their biological parents. In a matter of family-related migration these children will have difficulties in being granted a residence permit on grounds of family ties to these relatives. From a post-colonial perspective it can be seen that family practices that do not correspond to "*the Western way of doing family*" are talked about as being problematic. Arranged marriages are, according to the participants, common and permitted, but when they talk about such marriages it is done in a problematic way, by giving examples of marriages of convenience.

8.3 ...for family-related migration

The way the concept of family is understood in the Aliens Act is different from how it is understood within Sweden. This is for example seen in how live-apart togethers are considered as real relationships within Sweden, but not in the legislation and practice on family-related migration, as applicants would not be granted a residence permit on grounds of family ties under such circumstances. Further, it is discussed by one of the participants that a broadening of the definition of the concept of family in the Aliens Act could result in that applicants "*drag in an entire village*" to Sweden. These above mentioned aspects suggest that the definition of family in the legislation in the Aliens Act is subordinated in relation to the control of immigration. By choosing and using a strict definition of family, it is easier to control the numbers of immigrants, which is also suggested in previous research, for example by Honohan (2009:775-776). It can therefore be discussed whether the definition of family then actually concerns what family is or rather is chosen in order to regulate immigration.

8.4 ...and for the view on family in Sweden

Most of the participants seem to have the opinion that the definition of family in the Aliens Act is corresponding to the way family is done in Sweden. This also relates to the aspect that the view on family can be a part of a nation-state building process and being part of "we"-constructions. The descriptions by the participants of family within Sweden are homogeneously

done and mainly include the nuclear heterosexual family with the husband, wife and two children under age. Family constellations that do not correspond to this picture of a family are then excluded. Are they then viewed as less Swedish and viewed as "others" or "them" in relation to the ones that do family "the Swedish way"? If the way family is done can be understood as being part of cultural practices and cultural practices are part of constructing a "we" within a nation-state, which Yuval-Davis (1997:23) argues, then family practices are part of the view of the culture of a nation-state.

There can be a risk in exotifying families in other countries and add to the othering of people with other national/cultural backgrounds, in relation to Sweden and to being Swedish and doing Swedishness. Silva and Smart (1999) and Morgan (1999) argue for a more flexible and fluid way of understanding family. Both families outside national borders, but also families within such borders, could benefit from applying such an understanding on the concept of family. Both families within and outside national borders are affected by a "restrictive" view on what constitutes a family.

8.5 Future research

If it should be assumed that there would be a change in how the concept of family would be defined and understood in the legislation on family-related migration, then one possible aspect for future research could be how officials at the Migration Board would assess applications for residence permits on grounds of family ties. How could for example a care criterion be assessed? Another possible aspect to research is to focus on the support requirement in family-related migration that newly has been included in the Aliens Act and which different effects this have on the cases from an intersectional perspective.

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Attachments

Attachment 1: The Swedish Aliens Act and central paragraphs for the topic of this thesis

Chapter 5 § 3

In the 3rd paragraph it is stated in four points which persons *shall* be given residence permit on grounds of family ties.

§ 3: "*Unless otherwise provided in Sections 17–17b, a residence permit shall be given to*
1 an alien who is a spouse or cohabiting partner of someone who is resident in or has been granted a residence permit to settle in Sweden,
2 a child who is an alien, is unmarried and a) has a parent who is resident in or has been granted a residence permit to settle in Sweden or b) has a parent who is married to or cohabiting partner of someone who is resident in or has been granted a residence permit to settle in Sweden,
3 a child who is an alien, is unmarried and has been adopted or is intended for adoption by someone who at the time of the adoption decision was and who still is resident in or has been granted a residence permit to settle in Sweden, if the child is not covered by point 2 and if the adoption decision
– has been issued or is intended to be issued by a Swedish court,
– is valid in Sweden under the Act on International Legal Relations concerning Adoption (1971:796) or
– is valid in Sweden under the Act consequent on Sweden's Accession to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (1997:191) and
4. an alien who is a parent of an unmarried alien child who is a refugee or a person otherwise in need of protection, if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been left alone after arrival" (Aliens Act 2005:716: 12).

Chapter 5, § 3a

In 3a § it is stated to whom residence permit *can* be given, if nothing else is specified in the second paragraph in 17 § (see *Chapter 5, §§ 17, 17a and 17b*).

"*Unless otherwise provided in Section 17, second paragraph, a residence permit may be given to*

1 an alien who intends to marry or enter into a cohabitee relationship with a person who is resident in or who has been granted a residence permit to settle in Sweden, if the relationship appears to be serious and there are no special grounds not to give a permit,

2 an alien who in some way other than those referred to in Section 3 or in this Section is a close relative of someone who is resident in or who has been granted a residence permit to settle in Sweden, if he or she has been a member of the same household as that person and there exists a special relationship of dependence between the relatives that already existed in the country of origin,

3 an alien who is to exercise access rights that are not of limited scope to a child that is resident in Sweden and

4 an alien who is of Swedish origin or has lived in Sweden on a residence permit for a long time.

If an alien has been given a residence permit under the first paragraph, point 1, a residence permit for the same period shall be given to unmarried children of the alien.

When there are exceptional grounds a residence permit may also be granted to an alien in cases other than those referred to in the first and second paragraphs if the alien

1 has been adopted in Sweden as an adult,

2 is a relative of an alien who is a refugee or a person otherwise in need of protection or

3 has some other special tie with Sweden" (Aliens Act 2005:716: 12-13).

Chapter 5, §§ 17, 17a and 17b

In this part it is stated when there are special grounds against granting a residence permit.

§ 17: "*When examining an application for a residence permit under this Chapter, particular*

attention shall be paid, except in cases referred to in Section 1, 2, 3 or 4, to whether the applicant has been guilty of any criminal activity or criminal activity combined with other misconduct. When considering a residence permit under Section 3a, first paragraph, point 1 and second paragraph, particular attention shall be paid to whether it can be assumed that the alien or the alien's child or children will be subjected to violence or some other serious violation of their liberty or peace, if a residence permit were to be granted.

A residence permit under Section 3, first paragraph, point 2 or 3 and Section 3a, second paragraph may be granted only after the parent to whom ties are not cited has also given his or her assent, if that parent shares custody of the child.

A residence permit shall not be granted to a person with long-term resident status in another EU state, or his or her relatives, if that person constitutes a threat to public order and security" (Aliens Act 2005:716: 16).

§ 17a: "*A residence permit may be refused in such cases as are referred to in Section 3, if*
1 incorrect information has knowingly been supplied or circumstances have knowingly been suppressed that are of importance for obtaining the residence permit,
2 an alien has been adopted or a marriage entered into or a cohabitee relationship begun exclusively in order to give the alien a right to a residence permit or
3 if the alien constitutes a threat to public order and security.

A residence permit may also be refused in such cases as are referred to in Section 3, first paragraph, point 1 or point 2b, if
1 the spouses or cohabiting partners do not live together or do not intend to live together,
2 the person to whom ties are cited or the alien who has applied for a residence permit is married to or cohabiting with someone else or
3 either of the spouses or cohabiting partners is under 18 years of age.

When assessing whether a residence permit should be refused, account must be taken of the alien's other personal circumstances and family situation" (Aliens Act 2005:716: 16-17).

§17b: "*A residence permit shall be refused in the cases referred to in Section 3, first paragraph, point 1 or point 2b if the person to whom ties are cited is married to another person and is living with that person in Sweden*" (Aliens Act 2005:716: 17).

Attachment 2: Interview guide

Introductory questions:

−   How is this unit organized?

−   Which kinds of cases do you work with?

−   How many works at this unit?

−   What are your job assignments?

−   How long have you been working at this unit?

Legislation:

−   What legislation do you use in your work?

−   Which paragraphs do you use in this legislation?

−   Which legislation/directives from the European Union do you depart from?

−   In what way do legislation/directives from the European Union affect your work and assessments?

−   Has the legislation changed during your time at this unit? If yes, in what way?

−   Regarding the Official Government Report on the support requirement (SOU: 2008:114), how do you think that that one would affect the cases on family reunification?

−   Is there any new legislation under development?

−   Is there any new Official Government Report under development?

Family reunification:

−   What definition of family do you depart from (at the Migration Board)?

−   Which people/relations can be counted as family?

−   What kind of prerequisites shall there be for an admission on grounds of family ties?

−   How is the "relationship of dependence" assessed? Is it often used? How strong shall the relationship of dependence be? What is demanded?

−   Would you like to tell me about a few of your latest cases and how you assessed them?

−   Is there any difference between admissions for those who have been given refugee status and those who have not?

The definition of the concept of family:

− Do you have any thoughts on the reason to the definition of family in the legislation (the Aliens Act)?

− Do you have any thoughts on how the concept of family could be defined in another way?

− Which pros and cons are there with the definition of family in the Aliens Act?

− Do you have any experience of any obstacles/difficulties in cases regarding family reunification due to the definition of family?

− In an Official Government Report (2005:103) the support requirement was discussed and there the conclusion was drawn that it was not corresponding to Swedish values on equal rights and gender equality. How do you think the discussions are held now?

− Do you have discussions at your work-place around issues related to family reunification? If yes, in what way do you discuss this?

− Do you think there are other ways of working with family reunification?

− Do you think there is a reason to make changes in the work on family reunification? If yes, what kind of changes?

− Is there anything you would like to add?

Attachment 3: Letter of information

Hello!

How nice that You have decided to participate in my study for my master's thesis. With this letter I would like to inform You what it implies to participate. The purpose of the thesis is to create a deeper understanding for the work with family reunification at the Swedish Migration Board.

Your participation implies one meeting between You and me, where an individual interview will be realized. The interview will take place in a of You approved location, for example your work-place. The interview will last approximately one hour. The information recording will be carried out by using a tape recorder. Listening to the recorded interviews and transcription will only be done by me as author and the material is only accessed by me. The cassette tapes and the transcribed interviews will be destroyed after the examination of the thesis.

Your participation is voluntary, which implies that You have the right to choose which questions You want to answer and You can at any time choose to stop the study, without having to mention any reason for doing so. Your personal records will be treated confidentially, which implies that no one that reads the thesis will be able to derive the information to You. The records, such as name, geographical situation and work-place, that You give me,will hence be de-identified both in the data preparation and in the finished thesis.

The thesis will be published at Lund University in connection with examination. If desired a ready-made copy can be sent to You.

In case of other questions, You are welcome to contact me, Sandra Bornlinder (0737-553825) or my supervisor Åsa Lundqvist, university lector at the School of Social Work at Lund University, (046-2229468, Asa.Lundqvist@soch.lu.se).

Once again, thank You for your participation!
Kind regards, *Sandra Bornlinder*

Attachment 4: Model of the Permit Units at the Swedish Migration Board

The Swedish Migration Board

Managed Migration & Citizenship

One division

Permit Unit

Permit Unit

Permit Unit

Permit Unit

The officials in this Permit Unit mainly work with people that already are in Sweden:
- applications on grounds of family ties when already being in Sweden
- prolonging tourist visas
- student permits
- permits for EEA- citizens

The participants work in these two Permit Units

In another town

The officials in the second and the third Permit Unit mainly work with:
- first time applications from people applying from abroad on grounds of family ties
- errands of prolonging permits
- errands of recalling permits