

From voluntary to mandatory reception of asylum seeking unaccompanied minors

A case study of the 2014 policy change in Sweden

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Abstract

Reception of asylum-seeking minors has recently gained a lot of attention in the EU, due to the dramatic increase of minors fleeing war and conflicts. Since no EU regulation exists regarding how the reception of minors should be conducted, it is up to the member states to legislate domestically on the matter. In 2014, the Swedish parliament approved an amendment to the law on reception of asylum seeking unaccompanied minors, which made the reception of minors a mandatory task for all municipalities. Previously, the reception of minors had been voluntary. This change, from voluntary to mandatory reception, is the main focus of this thesis. In order to understand why the policy change occurred, the theoretical framework Multiple Streams has been applied. This focuses on how three streams (problem, politics, policy) and two elements (policy entrepreneurs and opening of a policy window) enable implementation of a policy. The method is a variant of policy process-tracing called explaining-outcome. The findings from the thesis indicate that the problem stream triggered an opening of a policy window, which enabled the policy of mandatory reception to be implemented.

Key words: Sweden, Reception of asylum seeking unaccompanied minors, Multiple Streams, Policy process-tracing, Explaining-outcome.

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Table of contents

1	Introduction.....	1
1.1	Purpose and research question.....	3
1.1.1	A case of policy decentralization?.....	3
1.1.2	Delimitations.....	4
1.2	Outline of the thesis.....	4
2	Previous research regarding decentralization of welfare policies.....	6
3	Background.....	8
3.1	No legislation in the policy field.....	8
3.2	The first legislation in the policy field.....	10
4	Theoretical framework.....	11
4.1	The Multiple Streams framework.....	11
4.1.1	The Problem Stream.....	13
4.1.2	The Politics Stream.....	14
4.1.3	The Policy Stream.....	14
4.1.4	Policy Entrepreneurs.....	15
4.1.5	Policy window.....	15
4.2	Alternative theoretical framework.....	16
5	Methodological approach.....	18
5.1	Policy process-tracing.....	18
5.1.1	Explaining-outcome research design.....	19
5.1.2	Collection of material.....	21
5.2	Operationalization.....	22
5.2.1	The Problem Stream.....	22
5.2.2	The Politics Stream.....	23
5.2.3	The Policy Stream.....	24
5.2.4	Policy Entrepreneurs.....	25
5.2.5	Policy window.....	26
6	Analysis.....	27
6.1	The Problem Stream.....	27
6.2	The Politics Stream.....	30
6.3	The Policy Stream.....	32
6.4	Policy Entrepreneurs.....	35
6.5	Policy Window.....	36
6.6	Discussion of the result.....	37
7	Conclusions.....	40

8	References.....	42
8.1	Laws, EU directives, government proposals etc.....	42
8.1.1	Laws.....	42
8.1.2	EU Directives.....	42
8.1.3	EU documents.....	42
8.1.4	Government bills and reports.....	42
8.2	Consultation response	43
8.3	Statistics	43
8.4	Reports	43
8.5	News articles.....	44
8.6	Litterateur.....	44

1 Introduction

For the past couple of years, migration flows to the EU have increased dramatically due to the war in Syria and the instability in the Middle East, Central Asia and North Africa. Among the flood of immigrants and refugees, there has also been an increase of asylum seeking unaccompanied minors, defined as:

A third-country national or stateless person below the age of eighteen who arrive on the territory of an EU Member State unaccompanied by an adult responsible for them, or who are left unaccompanied after they have entered the territory of the Member State. (EU Directive 2011/95/UE Art. K and L)

There are many reasons why minors leave their country of origin. Some are fleeing war and conflict, others are fleeing in order to avoid being recruited for military service. In some cases, parents are sending their children away because they believe that the living conditions are better in Europe than in their home countries (European Commission 2010:2). When minors arrive in an EU member state they have the right to apply for asylum. However, each member state decides on their own how the reception system will be regulated while the minors wait for a decision on their asylum claim. Since there is no regulation regarding the reception of unaccompanied minors at EU level, the reception varies a lot between the member states.

Sweden has historically been, and still is, the member state that receives the largest number of unaccompanied minors in the EU. For a long time the reception was concentrated to just a few municipalities. Due to the drastic increase of asylum seeking minors in the recent years, a huge burden was put on the welfare sector in the municipalities that received the minors. In order to even out the burden, Sweden implemented a change in its policy regarding the reception of unaccompanied minors in 2014. An amendment of *Lagen om mottagande av asylsökande m.fl.* (1994: 137) (the Act for the reception of asylum seekers and others) was enforced by the parliament, making the reception of asylum seeking unaccompanied minors a mandatory task for all Swedish municipalities. The amendment caused an extensive debate in Sweden. Many municipalities were, and are still, not satisfied with the law since it (according to some actors such as the Swedish Association of Local Authorities and Regions (SALAR)) is in conflict with local self-government (Häggroth 2011: 16).

The main focus of this thesis is the process leading to the policy outcome in 2014. There are two main puzzling aspects regarding why Sweden chose the current policy regarding mandatory reception of unaccompanied minors.

Firstly, as mentioned above, the law clashes with the local self-government. The relationship between the central and local government is very unique in Sweden

compared to other EU member states. In Sweden the principle of local self-government has been recognized in the Constitution since 1974, and it is seen as one of the cornerstones of democracy. Local self-government grants the municipalities the right to levy taxes for the management of their affairs, and means that they are free to undertake whatever actions (relating to their own affairs) that they see fit (Regeringsformen ch. 14 § 2 and 4). However, there is no agreement regarding what form of protection from central government intervention the constitution implies. Over time and policy areas the state has set limits for local self-government. The only protection the local self-government has is that it can only be restricted by law of the parliament (Regeringsformen ch. 14 § 6). In 2014, the parliament chose to restrict the local self-government by implementing the law. As the policy regarding mandatory reception was relatively recently implemented, academic research on how the policy came about is largely missing.

The other puzzling aspect with this policy is that no one saw it coming even though there has been a tendency towards decentralization of welfare politics (the transfer of power and responsibility from central government to a lower political level) in most of the EU Member State for the past decades. The decentralization trend has especially been evident in Sweden, since it is, together with the other Nordic Countries, one of the most decentralized Member States when it comes to welfare policies (Karlsson, Montin 2012: 125). The general goals and regulations of welfare services are decided in the national parliament, but the service production is almost entirely found at the local level. In the 1990s the decentralization of welfare policies were especially noticeable in Sweden when municipalities were assigned the responsibility for the implementation of a lot of welfare political reforms such as the as the Education reform (1991), the Elderly care reform (1992), and the Psychiatry reform (1995) (Bergmark 2011: 35-37). But no one predicted that the reception of unaccompanied minors would become an additional mandatory responsibility for the municipalities.

According to previous research about Swedish refugee policy conducted by M. Bengtsson in *Central and local government in power(im)balance* (2002) it has not been possible to legislate a mandatory reception of asylum seekers for three reasons. Firstly, the potential political costs in terms of public opinion would be too high. Secondly, the relationship between the state and the municipalities would deteriorate, since it would clash with the local self-government principle. Thirdly, it would be too difficult for the state to control the legislation and punish the municipalities that did not receive asylum seekers (Bengtsson 2002: 137-138).

Despite all the above given arguments against a legislation for a mandatory reception of unaccompanied minors, the policy was approved by the Swedish parliament in September 2013 and implemented in January 2014 (Prot. 2013/14: 4 p. 44). Due to this, it is interesting to study what circumstances enabled the policy change from voluntary to mandatory reception of minors to be implemented.

1.1 Purpose and research question

As demonstrated by the introduction, the main purpose of this thesis is to explore the various circumstances that enabled the policy about mandatory reception to be implemented. In order to explore how and why the policy came about a process-tracing case study method with focus on explaining-outcome will be used. The explaining-outcome research design aims at explaining a puzzling outcome, which this policy represents since it, according to SALAR, clashes with the Swedish local self-government and no one predicted that the reception of unaccompanied minors would become an additional mandatory responsibility for the municipalities. The theoretical framework that the thesis will rely on is the Multiple Streams framework developed by J. W. Kingdon (2011). The expectation is that the theoretical framework will structure the analysis and contribute cumulatively to the knowledge of the development of the policy.

In relation to the purpose of the thesis the following question will be explored and answered:

- *How and why did the reception of asylum seeking unaccompanied minors become a mandatory task for the Swedish municipalities?*

As demonstrated by the research question the thesis has both an exploratory and explanatory ambition. By answering the question above the expectation is that the thesis will provide the reader with a better understanding of how and why this puzzling policy came about to be implemented. Since this is a case study of how a Swedish policy came about it might be hard to apply the result to another country. But the result could still contribute to a better understanding of what circumstances enables certain puzzling policies to be implemented. The thesis will also be the first one to explore the policy change from voluntary to mandatory reception and will hopefully fill a gap in existing research on Swedish policies.

1.1.1 A case of policy decentralization?

The previous sections have described why the policy of mandatory reception is interesting to study, but now we will move on to a more abstract reasoning about what the policy change actually represents, what is it a case of? According to C. Lund, case studies are: “*often presented as self-evident. However, of what the material is a case is actually less evident* (Lund 2014: 224). Therefore this section will provide the reader with information of what this study is a case of.

The reception of asylum seeking unaccompanied minors has gone through a major change for the past decades. Until 2006 the state was through the Migration Agency responsible for providing the reception of the minors. In 2006, the first legislation in the policy field came about and the state decentralized the

responsibility of reception to the municipalities. The responsibility for the municipalities was voluntary until 2014 when the state, through legislation, made it a mandatory task for the municipalities to provide for accommodation places for minors. This transfer represents, according to this thesis, a case of decentralization of welfare politics in Sweden, which have also been evident in other policy areas such as education, child day care and elderly care (Bergmark, Minas 2007: 9).

1.1.2 Delimitations

Considering that this study will focus on the policy process that enabled the formation of the policy regarding mandatory reception of asylum seeking unaccompanied minors in Sweden, the study will not take into account factors such as how the policy change affected either the municipalities or the minors. Although these aspects would be interesting to analyze, it would require a different method and different research material.

The empirical results generated from the study will not enable a generalization applicable to other EU member states, considering the reception of unaccompanied minors looks different in the member states due to differing administrative structures and traditions. Additionally, there is no EU regulation on how the reception of minors should be conducted, allowing all member states to legislate domestically on the matter.

However, this does not prevent the fact that some theoretical observations can be made regarding how the policy process works and what kind of circumstances can enable a policy change. Furthermore, various principal conclusions can be drawn relating to the applicability of the MS framework.

1.2 Outline of the thesis

The thesis will start off with a chapter about previous research on decentralization of policies, which will give the reader an overview of what has been done in the research field. The chapter will also argue that decentralization of welfare policies has been an ongoing trend in most of the EU member states for the past decades. The following chapter will be a background chapter, which will present a short overview of how the policy field regarding reception of unaccompanied minors has developed in Sweden from 1980 when the first influx of minors came, to 2006 when the first legislation in the policy field was implemented. Afterwards, the theoretical framework, the Multiple Streams, developed by John Kingdon will be presented. The theoretical framework will be presented according to the five elements of the Multiple Streams. The chapter will end with a discussion of alternative theoretical frameworks that were considered in the initial period of the study.

The fourth chapter of the thesis will present the method used in the study. It will begin with an introduction of what policy process-tracing research is and then move on to the explaining-outcome research design, which will be applied in the thesis. The chapter will also present the material and the operationalization of the Multiple Streams framework. The following chapter is the analysis, which will be structured according to the five elements of the Multiple Streams framework and conclude with a discussion of the result. The thesis will end with a conclusion of the findings from the study and recommendations for future research.

2 Previous research regarding decentralization of welfare policies

Decentralization is a widely used concept within political science that lacks a clear definition. Discussion regarding the meaning of decentralization and what consequences it has for the society can be traced all the way back to the classic scholars such as A. Smith and J. S Mill (Pollitt 2005: 372). However, in this thesis decentralization of welfare policies is defined as the transfer of power and responsibility from central government to a lower political level (Bergmark (2001: 22).

The trend towards decentralization of welfare policies is far from a new phenomenon and has according to researchers such as L. Hooghe and G. Marks been going on since the Second World War in all parts of the world but especially in Europe (Hooghe, Marks 2001: 44). Although, the trend has been going on for a while now, it varies from country to country. It has been most noticeable in the Nordic countries and especially in Sweden due to major political reforms such as the Education reform (1991) the Elderly care reform (1992) and the Psychiatry reform (1995) (Bergmark 2011: 35-37). There has been several studies conducted on these reforms such as for example in education (Lane, Murray 1985; Lundahl 2002) and elderly care (Thorslund, Bergmark, Parker 1997; Holosko M, Holosko D, Spencer 2009). According to Å. Bergmark most of these studies have mainly focused on the consequences of the implementation of the reforms, but there is almost no studies on how and why these policies have been decentralized (Bergmark 2011: 46)

Major reforms towards decentralization of welfare policies is not only a Swedish phenomenon, this trend has also been evident in other EU member states such as France and Italy. For example, France decentralized secondary education and elderly care to the local government in 1983/1893 (Bergmark, Minas 2007: 2-3). On similar note, Italy decentralized the welfare system in 2001 by a constitutional reform, which increased the financial, legislative, and management role for the local governments. (Kazepov, Arlotti, Barberis, da Roit, Sabatinelli 2006: 10).

Even though, decentralization of welfare politics has been an ongoing trend in most of the EU member states none of them have decentralized the reception of unaccompanied minors to local-governments. Not even the other Nordic countries have a system were the municipalities are responsible for providing accommodation for asylum seeking unaccompanied minors (Häggroth 2011: 23). Therefore the expectation is that this thesis will contribute to a better

understanding of why Sweden as the only EU member state has decentralized the reception of unaccompanied minors to the local governments.

3 Background

This chapter will present a short overview of how the policy field regarding the reception of unaccompanied minors has developed from 1980 to 2006, when the first legislation in the policy field was implemented. The purpose of the overview is to provide the reader with an understanding of how the responsibility of the reception of unaccompanied minors has transferred from the state to the municipalities. This will hopefully make it easier for the reader to later on understand why there was an amendment in the *Act for the reception of asylum seekers and others* in 2014, which made it mandatory for municipalities to receive unaccompanied children.

3.1 No legislation in the policy field

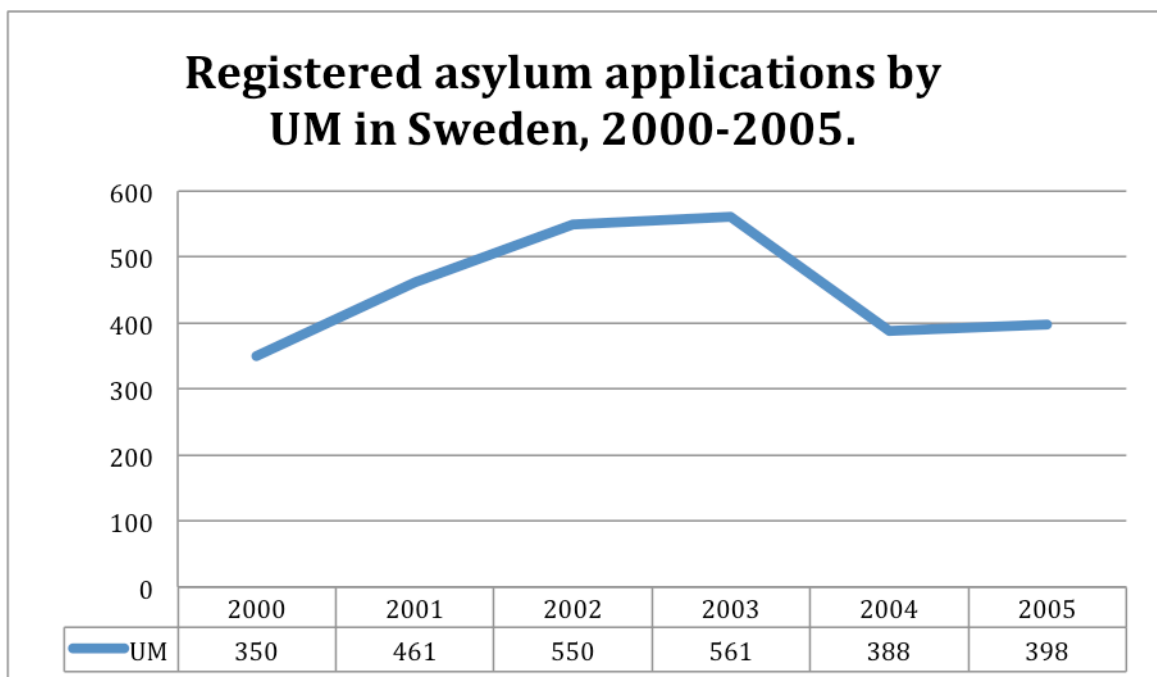
Sweden has since the end of the Second World War been an attractive destination for people fleeing war and conflicts but it was first in the end of the 1980s that the country started to receive asylum-seeking unaccompanied minors. The first large group of unaccompanied minors came in 1992 due to the wars in former Yugoslavia. In total, 1500 children arrived that year but there was no regulation on how the reception should be conducted and it took until 2006 before the reception was regulated by law (Migrationsverket, Socialstyrelsen 2002: 9). Until then, the minors lived in special accommodation centers separated from adult asylum-seekers. The state was through the Migration Agency responsible for providing the accommodation centers and the Social Service in the municipalities where accommodation centers were placed was responsible for investigating the needs of the minors (Prop. 1993/94:94 p. 31).

After the first big influx in 1992 it took until 2000 when unaccompanied minors started to come continuously. A growing number of minors from Iraq, Afghanistan and Somalia applied for asylum in Sweden between 2000- 2005 and it became clear for the government that it was a problem that there was no legislation on how the reception should be conducted. Many municipalities did not really know how far the Migration Agency's responsibility stretched and when the responsibility of the municipalities began. This caused problems in some municipalities since they did not investigate the needs of the minors because they considered that the Migration Agency should do it since the minors lived in accommodations centers provided by the Migration Agency. This gave the Migrations Agency a dual role, on one hand the Agency should investigate the

minors right to asylum and on the other hand build relationships with the minors and be responsible for the care (Migrationsverket, Socialstyrelsen 2002: 6-7). The government realized that this was not a sustainable situation for the Migration Agency and initiated an investigation on how the reception could be improved in order to make the responsibility between the Migrations Agency and the municipalities more clear. The Migration Agency and Socialstyrelsen (the National Board of Health and Welfare) conducted the investigation in 2002 and published a report in consultation with SALAR, the Ombudsman for Children in Sweden and other relevant organizations.

In the report produced by the authorities they suggested that the Migration Agency's role should only be to investigate the asylum applications and make agreements with a number of municipalities, which would specialize in reception of unaccompanied minors. This suggestion made it clear that the Migration Agency should not provide accommodations anymore and the responsibility should from now on be transferred to the municipalities instead. The reason for moving the responsibility from the Migration Agency to the municipalities was because the municipalities could provide better accommodations places that would be tailored to young peoples needs. Since the Social Service in the municipalities had a long experience of taking care of children they would also provide better care than the Migration Agency could (Migrationsverket, Socialstyrelsen 2002: 11). It took until 2006 before the suggestion from the report became a law. The figure under shows the influx of unaccompanied minors (UM) from 2000 until 2005.

Figure 1.



Source: Migrationsverket 2015

3.2 The first legislation in the policy field

In July 2006 the suggestion from the Migration Agency and the National Board of Health and Welfare became a law and for the first time regulated the division of responsibilities between the Migration Agency and the municipalities. From now on the Migration Agency was only responsible for assigning unaccompanied minors to a municipality that had reached an agreement with the Agency and the municipality should provide for housing and care of the minors. The new law freed that the Migration Agency from its dual role as a decision maker and caretaker, which it had been criticized for in the report from 2002 (Migrationsverket, Socialstyrelsen 2002: 6-7). When the law was enforced in 2006 the reception of unaccompanied minors was voluntary, the municipalities that wanted to receive minors could reach an agreement with the Migration Agency on how many minors they would like to receive. In some special cases the law allowed the Migration Agency to assign a minor to a municipality, which had not reached an agreement to receive minors, if the minor had a relative there (Prop. 2005/06:46 p. 49). Otherwise, it was totally voluntary to receive or not to receive minors.

Although, the new law gave the municipalities a greater responsibility of the reception of unaccompanied minors, the Migration Agency still had the overall responsibility of which municipalities the minors should be placed in. At the time when the law was enforced the government estimated that it would be enough if 15-20 municipalities reached agreements with the Migration Agency about receiving minors according to the influx at that time (Eriksson 2010: 7).

The information provided by this chapter shows that there has been an extensive policy change in the reception system of minors. From no legislation at all in the 1980s to the first legislation in 2006 which decentralized the responsibility of the reception system from the state to the municipalities. The following chapters will discuss what circumstances caused the change from voluntary to mandatory reception of minors.

4 Theoretical framework

This chapter will guide the reader through the theoretical framework of Multiple Streams, which will be applied in this thesis in order to understand the policy change from voluntary to mandatory reception of minors. It will start off with an introduction of how the Multiple Streams framework came about and how it has evolved and been used in previous research. Later on it will provide the reader with knowledge about the three streams: problem, politics and policy. After the streams has been presented a subchapter will follow on how policy entrepreneurs couples the three streams and which main factors determine how successful policy entrepreneurs are at promoting their policy ideas. The following subchapter will explain the circumstances leading up to the last element of the theory, which is the opening of a policy window. The chapter then concludes by a discussion of alternative theoretical frameworks.

4.1 The Multiple Streams framework

Since the 1950s policy process research has been a conscious area of study. A lot of theories have been applied in order to study the policy process, some of them have by now been abounded, forgotten but some still remains prominent in the field. One of the prominent theoretical frameworks is the *Multiple Streams* (MS) framework. It was developed by J. W. Kingdon in *Agendas, Alternatives and Public Policies* (1984) and has endured for more that 30 years (Weible, Schlager 2016: 10). Kingdon's research focused on why certain national policies become a part of the government's agenda while others do not. His main focus was on American health care and transportation policies in the 1970s. Since then the framework has been applied to a lot of different policy fields. N. Zahariadis has evolved the framework by applying it numerous occasions to supernational decision-making institutions such as the EU (2007) but also Greek foreign policy (2005). Only in the period between 2000-2013 the framework has been applied 311 times in 65 countries on 22 different policy areas (Jones et al 2016: 18).

The main focus of the MS framework is to explain how policies are made by national governments under conditions of ambiguity. The definition of ambiguity is taken from M. S. Feldman and refers to “*a state of having many ways of thinking about the same circumstances or phenomena*” (Feldman 1989: 5). The problem under conditions of ambiguity is that people are not sure what the

problem really is which leads to false and misleading interpretation of facts. The problem becomes vague and shifting, which makes it hard for policy makers to solve the problem (Zahariadis 2007: 67).

Besides ambiguity there are several other concepts that need to be explained in order to understand the framework. Firstly, The MS framework originally draws inspiration from *The Garbage Can Model of Organizational Choice* by M. D. Cohen, J. G. March and J. P. Olsen (1972). The garbage can model is a theoretical framework of how decisions are made within organizations. Cohen et al argues that a decision situation is like a garbage can into which participants dump various kinds of problems and solution. Decisions happen when problems, solutions, participants and choices coincide (Cohen et al 1972: 1).

One of the central concepts of the garbage can model is the concept of organized anarchy. By organized anarchy Cohen et al refers to bigger organizations such as universities where ambiguity is rampant and could be understood from three properties: fluid participation, problematic processes and unclear technology (Cohen et al 1972: 2).

The first property, the concept of fluid participation refers to the involvement from participant in bigger organizations. Involvement from participant varies considerably and so does the time and effort that they devote to the policy output. Individuals working in a democratic state where there are regular elections come and go when the government changes. The shifts in government often lead to a shift in what problems matter and not which also affects the policy decision-making.

The second property, the problematic processes refer to the difficulties involved in estimating clear and feasible decision. Often time constraints forces politicians to make decisions, which sometimes result in poor decisions that have not been carefully thought through.

The third and last property of the organized anarchy is unclear technology, which refers to the uncertainties felt by the members of the organization. When individuals within the organization propose a decision it is unclear what the consequences of the decision will be. It is unclear how to solve problems because the proposed solutions lack evidence. This leads to that decision-making in the organization becomes based on a trial and error-methodology. The individuals in the organizations look for what has worked before in their own and other organizations and try to repeat it. (Zahariadis 2007: 66-67).

Kingdon applies the concept of organized anarchy in his MS framework but put more focus on “organized” rather than “anarchy”. Also Kingdon extent this concept to the governmental level and explain why some policy initiatives are able to catch the attention of policy makers and eventually become implemented while other do not. Instead of the garbage can model were problems and solutions

are dumped by participants Kingdon views the policy formation process as three parallel streams: problems, politics and policy (Kingdon 2011: 84). When these three streams are joined at critical point in time a window of opportunity opens and policy entrepreneurs can push for their idea to get on the decision-making agenda. If they are successful at coupling the streams a policy change will be adopted (Zahariadis 2007: 65). The following subchapter will delve deeper into the three streams and the concept of policy entrepreneurs and window of opportunity.

4.1.1 The Problem Stream

The problem stream focuses on how problems that require immediate consideration and action come to attention of policy makers and get placed on the agenda of the government (Kingdon 2003: 198). Kingdon defines a problem as something that goes from being a condition to a problem when people think that there should be something done about it (Kingdon 2011: 109). Since there usually are more problems at the same time competing for attention of policy makers the ones that get most attention crowd and place themselves higher on the governmental agenda. The problems could be anything from environmental issues to rising medical costs that affects people. It is almost impossible for policy makers to address all the problems so they try to solve the most relevant ones. Policy makers find out about these through indicators, focusing events and/or feedback on existing policies (Zahariadis 2007: 72).

Governments constantly get indicators from various governmental departments, public services and researcher on different topics such as the economy, educational system and so on. These indicators are usually statistical and need a little push to get attention of people in and around the government. That push could be provided by a focusing event like a crisis or a disaster that draws attention to a problematic situation. Kingdon gives two examples of focusing events in his research that caused attention in the Unites States: a airplane crash that put focus on air safety and a bridge collapse that draw attention to infrastructure (Kingdon 2011: 95).

The government also usually tends to find out about problems through feedback on existing policies. These are important since they help to highlight what work as planned and what does not. By feedback the government finds out if there are problems with the legislative design or implementation that must be addressed. (Kingdon 2011: 100-10)

When the governments search for solutions to a problem they tend to look for an alternative that is technical feasible well thought out, accepted by the policy community and capable of being implemented. Usually it takes time for a new alternative to be considered by the government but if consist of the things mentioned above the chance increases (Kingdon 2011: 143- 144).

4.1.2 The Politics Stream

The politics stream refers to the broader political discourse within which policy is made. A central concept of the stream is the national mood, also called the climate in the country and changes in public opinion. Kingdon argues that the national mood is, that a large number of people in a country tend to think along common lines. Government officials sense the national mood and changes in it by public opinion polls, mail, visits, newspaper and conversation with people outside the government. When politicians are looking for a policy alternative to solve a problem they try to find an alternative that fits the current national mood (Kingdon 2011:145). In order to figure out the national mood politicians often investigate the support or opposition of interest groups as indicators for their politics and try to balance these (Zahariadis 2007: 73).

The national mood is strongly affected by the ideology of the government. If there is a shift in government and new governmental officials in the administration there will likely occur a change in the policy agenda, which also affects the policy outcome produced by the government. The goal of the government in a democratic country with free election is to get reelected and will therefore strive to produce politics that satisfy the majority of the people in the country (Kingdon 2011:163).

4.1.3 The Policy Stream

Kingdon and Zahariadis use the metaphor of a “soup” with ideas to describe the policy stream where alternatives, proposals and solutions to problems float around and wait for a moment when they can be attached to a problem or political event. In contrast to a problem-solving model in which people first become aware of a problem and then tries to find a suitable solutions Kingdon argues that solutions are always floating around in the soup of ideas and waiting to be used (Kingdon 2011: 174).

The ideas in the soup are generated by experts in specific policy field such as researcher, bureaucrats and governmental officials who share a common concern about the policy. The experts discuss, revise and recombine the ideas in several forums such as papers, conversations and hearings. In the initial period there are usually a lot of ideas but only a few of them receive serious consideration. In order for an idea to be selected it must meet two criteria: technical feasibility and value acceptability (Zahariadis 2007: 72).

Technical feasibility means that the proposal has to be relatively easy to implement with regards to time, financial costs and effort. If the proposal is difficult to implement it has a lower chance of being considered. Value

acceptability means that the proposal has to suit with the ideological values of the policy makers (Zahariadis 2007: 73).

4.1.4 Policy Entrepreneurs

Policy entrepreneurs are individuals that try to attach a problem with a solution that fits into the current national mood, basically they attempt to couple the three streams. A policy entrepreneur could be anyone with knowledge and interest in the policy field such as politicians, legislators and leaders of interest groups. If policy entrepreneurs are successful in coupling the three streams their chances increase of getting their policy solution adapted when a window of opportunity opens (Zahariadis 2007: 74). When the window is open the policy entrepreneurs have to be prepared and act fast in order to promote their idea before the window closes or disappears.

There are two main factors that can determine how successful entrepreneurs are at promoting their ideas when a window is open: access to influential policy makers and resources.

The first factor, access to influential policy maker is of a huge importance since it is easier for policy entrepreneurs to get their idea considered if they know the right people. Also if the policy entrepreneur represents an established institution with high legitimacy and credibility his or hers chances increase of getting the idea accepted.

Secondly, resources such as financial costs, time and effort to push for a proposal also have an important part in getting an idea accepted (Kingdon 2011: 179).

4.1.5 Policy window

When a policy entrepreneur, as stated before, is successful at coupling the three streams at critical moments in time a policy window appears. Kingdon defines critical moments in time as "*fleeting opportunities for advocates of proposals to push their pet solutions or to push attention to their special problems*" (Kingdon 2011: 165). There are three main factors that can explain the circumstances leading up to an opening of a policy window: a change in the political stream, pressing problems and politicians cast about for ideas.

When there is a change of government and an ideological shift in the national mood a policy window can open. The new government may want to tackle problems that the previous did not and therefore gives policy entrepreneurs an opportunity to push for a policy alternative that was not given in the previous government (Kingdon 2011: 168).

Secondly, sometimes a window could be open because the government is sensing a pressing problem that needs to be solved. When the government is feeling pressed by a problem they reach for an alternative solution in the policy stream. If the alternative is, as mentioned in previous subchapter, technical feasible and meet the ideological criteria of the policy makers it is more likely that they will reach for that alternative.

Thirdly, in some occasion a policy window can open when the government wants to undertake some sort of initiative on a particular subject and cast about for ideas. The problem may not have changed at all or the solutions but the availability of an alternative that responds in some way to a new political situation change the policy agenda (Kingdon 2011: 174) When the government cast out for alternatives they have to carefully consider if an alternative will produce legislation or not. If so, they have to reflect on how the public will receive the legislation. In some cases when the government know that a legislation could be too controversial and reflect badly on the administration they chose to not open a window. A bad outcome of a new policy could in some cases be worse than status quo (Kingdon 2011: 178).

4.2 Alternative theoretical framework

In the initial period of this study two other theories about policy formation were considered in order to test how and why the policy regarding mandatory reception came about: the Institutional rational choice (ICR) and the Advocacy Coalition (AC) theory in P. A. Sabatier's *Theory of the Policy Process* (2007).

Both the ICR and the AC theory put emphasis on another set of factors than the MS framework. The ICR theory focuses on how rational individuals and their interaction with various institutions lead to a policy outcome. This theory was not chosen because this thesis does not focus on institutions.

The AC framework on the other hand put focus on explaining policy change by investigating and analyzing belief systems of policy elites and their ability to translate their believes into an actual policy. This framework would probably have contributed to interesting findings of how the policy came about but it was a conscious choice not to use it since it would have required in depth interviews with the policy elites involved in the policy formation of mandatory reception of unaccompanied minors. This would have been too time-consuming for the scope of this study because it would probably be hard to get in touch with the policy elites in the first place and even if it would be possible it would have required more time to do in depth interviews and later on analyze them.

In order to provide the best possible analysis for the scope of this study the MS framework was chosen. In contrast, to the two above mentioned theoretical

framework the MS framework put focus on how policies are made by national governments under conditions of ambiguity which the policy field of unaccompanied minors has been characterized by for a long period in Sweden due to the fact there was not even a law in the policy field until 2006 that regulated the reception of unaccompanied minors. Even after the first legislation was implemented the reception has been characterized by ambiguity because the government did not know how the influx of unaccompanied children would develop in the future. The MS also provides a framework that can be used to analyze the whole policy process formation, from how a policy idea come about to why it gets implemented. Most other theories of policy process formation often divides the process into analyzing only agenda setting or implementation while the MS framework links all the stages of a policy process under one framework which enables the researcher to get a broader understanding of the policy process. However, as all theories provides some kind of simplification of reality there has been some critique directed towards the MS framework as well.

The main criticism towards the MS framework has been directed towards the independence of the stream, by G. Muciaronni (1992: 473), J. Bendor, T. M. Moe and K. W. Shotts (2001:172). They do not believe that the streams exist independently on their own, which is difficult to prove. However, this thesis shares the view of Zahariadis (Zahariadis 2007: 81-82), who argues that the independence of the streams is only a conceptual tool in order to provide good analytical categories.

5 Methodological approach

This chapter aims to provide the reader with explanations concerning the methodological choices made in the study. It will begin with an introduction of the policy process-tracing method and a discussion on why the explaining-outcome research design has been chosen in order to analyze how the policy regarding mandatory reception of asylum seeking unaccompanied minors came about. In the following subchapter the material used and its strengths and weakness will be presented. Lastly a subchapter will follow on how the operationalization of the MS framework has been conducted.

5.1 Policy process-tracing

In order to analyze how the policy regarding mandatory reception of asylum-seeking unaccompanied minors became a mandatory task for the Swedish municipalities a policy process-tracing method will be used. Since this policy as many others policies involves plenty of actors from different interest groups and different levels of government, legislatures and researchers with different interest it can be quite complex to study how the policy came about. G. King, R. O. Keohane, S. Verba argues that complexity can make the findings from a study less certain but should not make the study any less scientific (King, Keohane, Verba 1994: 15). In order to make the findings as certain as possible this chapter will provide information on how the study has been conducted.

P. A. Sabatier argues that in order for the researcher to have a chance of understanding the complexity of a policy process he or she must find some way of simplifying the situation (Sabatier 2007: 3). In order to simplify the policy process formation regarding mandatory reception of minors policy-process tracing will be used. The policy process-tracing method has in recent years emerged as a prominent method within qualitative social science to simplify and analyze policy processes. The policy process-tracing offers the researcher a way of making observations within a single-case study and link the observations in order to make an explanation of the policy outcome.

The process-tracing method was developed in the 1970s but it was first clearly defined in A. L. George and A. Bennets's *Case Studies and Theory Development in Social Sciences* (2005). Later on, plenty of researchers have evolved the method of process-tracing. In this thesis the methodological approach will rely on the first practical guide for using process-tracing in social science written by D.

Beach and R. Brun Pedersen *Process-Tracing Methods: foundation and guidelines* (2013).

In order to conduct a policy process-tracing analysis Beach and Brun Pedersen argue that there are three different research methods that can be used: theory-testing, theory building and explaining-outcome.

The first, theory-testing process-tracing, aims at testing an existing theory on an empirical case. When testing the theory the researcher use a hypothesized casual mechanism from the theory and examine if the mechanism is present in the case and functions as expected by the theory (Beach, Brun Pedersen 2013: 14).

The secondly, theory-building process tracing, has an ambition to build a generalizable theoretical explanation from empirical evidence. When using this method the researcher is investigating if there is theoretical casual mechanism that can be expected to be present across different cases (Beach, Brun Pedersen 2013: 16).

Lastly, explaining-outcome process-tracing, aims is to craft a minimally sufficient explanation of a puzzling outcome in a specific case. Unlike the two other methods the ambition here is not to test if the theory is correct or build generalizable theories. In explaining-outcome method the theory is rather used as a heuristic instrument, which means that the theory is not guaranteed to be the optimal or perfect way of analyzing a specific outcome. The theory rather provides a sufficient analytical tool that has utility in providing the best possible explanation (Beach, Brun Pedersen 2013: 18). In this study, it will not be possible to determine if the theory provides the best possible explanation. In order to do it, several theories need to be tested. The focus will therefor only be on if the theory can provide a minimally sufficient explanation.

The main difference between the three research designs is, as mentioned above, the way that they use the theory. The two first research designs are theory-centric which means that the ambition is to provide knowledge from the theory that can be generalized across many cases. In contrast to the two first designs, the explaining-outcome design is case-centric which means that the ambition is only to provide knowledge for a particular puzzling outcome (Beach, Brun Pedersen 2013: 12-13).

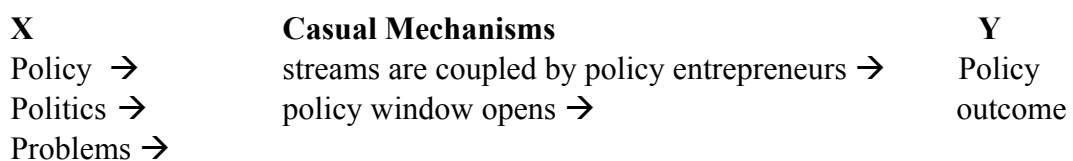
Of all the above mentioned research designs, the explaining-outcome will be used in this thesis since it is most compatible with the aim of the study, which is to explore how and why the puzzling policy outcome of how mandatory reception of asylum seeking unaccompanied minors came about.

5.1.1 Explaining-outcome research design

In order to explain the puzzling outcome the emphasis will be put on identifying the casual mechanisms that enabled the Swedish government to adopt the policy.

A casual mechanism can be defined as “a complex system, which produces an outcome, by the interaction of a number of parts” (Glennan 1996: 25). This basically means that each mechanism consists of different entities (X) that are individually insufficient but necessary parts in a whole mechanism, which together produces an outcome (Y) (Beach, Brun Pedersen 2013: 176).

To identify the casual mechanisms a deductive path will be used, which links premises with conclusions. According to Beach and Brunn Pedersen the deductive path of conducting an explaining-outcome research design consist of three steps. The first step aims at testing an existing mechanism to see whether it can account for the outcome (Beach, Brunn Pedersen 2013: 19). In this thesis I will test if the MS framework can provide for a sufficient explanation of the policy outcome. In order to test the framework it must first be conceptualized as a mechanism:



As seen by the figure above the three streams will be referred to as different entities (X) that are individually insufficient but necessary parts in a whole mechanism. The elements of policy entrepreneurs and policy window will be conceptualized as casual mechanisms, which together with the (Xs) produce a policy outcome (Y). In one of the following subchapters each of the streams and the casual mechanisms of policy entrepreneurs and policy window will be operationalized more closely.

The next step in order to explain the policy outcome consists of developing tests that are evaluated against the empirical material (Beach, Brunn Pedersen 2013:19). The test will consist of five hypotheses, one hypothesis for each of the element of the theoretical framework. This will be done in order to investigate if each element of the theory was present and enabled the policy outcome to be implemented. The hypotheses are developed from the theoretical framework. If it turns out that there is not enough evidence or that it is impossible to test whether a hypothesis is true or false I will not reject the whole theory as it is too extensive to draw that kind of conclusion based on a single case study.

The following hypotheses will be tested:

Problem Stream H1

There were indicators of problems with the current reception of asylum seeking unaccompanied minors in 2006-2013, which triggered a policy change.

Politics Stream H2

The national mood and the political ideology of government supported a policy change.

Policy Stream H3:

There was a policy alternative to the problem, which was technical feasible in terms of financial costs, time and effort.

Policy Entrepreneurs H 4:

The policy entrepreneurs were successful in attaching a problem with a solution.

Policy Window H5

An opening of a policy window occurred which enabled the policy to be adapted.

According to the deductive path of conducting an explaining-outcome study the last step consist of an analyzing whether a sufficient explanation has been crafted on how the policy came about. (Beach, Brunn Pedersen 2013: 19). This will be done after each of the hypotheses has been tested in the analysis chapter of the thesis.

As noted by the research design, the deductive path has some common traits with the theory-testing approach since it tests if a theory can account for a particular outcome. The major difference with a theory-testing design and testing a theory within an explaining-outcome research design is that the aim within a explaining-outcome design is not to provide knowledge from the theory that can be generalized across many cases, the aim is rather to test if the theory can account for a particular puzzling outcome that is context specific.

5.1.2 Collection of material

The collection of empirical material will be steered by the theoretical framework of the MS in order to test whether the framework provides a sufficient explain of the policy-outcome regarding mandatory reception of asylum seeking unaccompanied minors. The empirical material will vary for each of the five elements of the framework but it will mainly consist of primary sources.

The primary sources that will be used in the study consist of Swedish Government Official Reports, Government Bills, statistics, consultation responses from various organizations and documents from the Migration Agency. The strength with using primary sources is that they provide information of what different actors have stated in a given time period and is therefore hard to manipulate afterwards. Since the official opinions of each actor are available in the documents it makes it plausible to trace how the policy regarding mandatory reception of unaccompanied minors has been formed. The weakness with the material is that only the official opinions are analyzed, the study would have benefitted form some interviews in order to see if there were any unofficial opinions in the policy formation that were not stated in the documents. Since most of the material is in Swedish all translations to English are my own unless otherwise specified.

The material used for each of the five elements of the theoretical framework will be more closely presented in the following subchapter.

5.2 Operationalization

In order to test if the MS framework can provide for a sufficient explanation of the policy outcome regarding mandatory reception of asylum seeking unaccompanied minors the five elements of the theory has to be operationalized into measurable indicators. The intention with this section is to provide the reader with information of how each of the elements have been operationalized into measurable factors and what kind of material has been used in order to test the hypotheses.

5.2.1 The Problem Stream

As mentioned in the theoretical framework the problem stream focuses on how problems that require immediate consideration and action come to attention of policy makers and get placed on the agenda of the government (Kingdon 2003:198). According to the MS framework there are three main factors that determine if a problem gets attention: statistical indicators, focusing events and feedback on existing policies.

In order to find out how statistical indicators contributed to raise the attention of the problems with the reception of asylum seeking unaccompanied minors statistics from the Swedish Migration Agency will be used. As the Migration Agency operates under the supervision of the government, the underlying assumption is that the government received the information from the Migration Agency about how many unaccompanied minors applied for asylum in Sweden. The statistics will cover the period from 2006-2013. The reason for choosing to start at 2006 is because that was the year when the responsibility of the reception of unaccompanied minors for the first time was regulated by Swedish law. The reason for choosing to stop at 2013 is because that was the year when the parliament proved the law regarding mandatory reception of asylum seeking unaccompanied minors for all Swedish municipalities. The statistics of asylum seeking unaccompanied minors is published and accessible at the Migration Agency's webpage.

According to the MS framework statistical indicators usually needs a little push to get attention of people in and around the government by some kind of focusing event like a crisis or a disaster that draws attention to a problematic situation. In order to find out if there was some special event between the years 2006-2013 newsletters from the Migration Agency will be used. The newsletters are called

Aktuellt om ensamkommande barn (Latest about unaccompanied minors) and contains information about the latest news in the policy filed of unaccompanied minors. In order to get hold of these newsletters I had to contact the Migration Agency.

The third factor that contributes to raise attention to a problem is according to the MS framework feedback on existing policies. In order to find out about feedback on existing policies I will once again use the newsletter from the Migration Agency to explore if some municipalities or other actors have given some feedback on the existing policy of reception from 2006-2013. I will also look at *SOU 2011:64 asylsökande ensamkommande barn en översyn av mottagandet*, which is an official report from the Swedish government on how the reception of asylum seeking unaccompanied minors could be improved. By exploring the report the expectation is to find out what has been said in the debate about the reception system before the law about mandatory reception came about. Since this is an official report of the Swedish government it is published and accessible at the governments webpage.

When these three factors have been investigated the first hypothesis will be tested:

Problem Stream H1

There were enough indicators of problems with the current reception of asylum seeking unaccompanied minors in 2006-2012, which triggered a policy change.

5.2.2 The Politics Stream

The politics stream refers to the broader political discourse within which a policy is made. There are two central concepts within this stream, the national mood and the political ideology of the government. The national mood is according to the MS framework of high importance for politicians when they are considering a policy alternative since they want to find an alternative that fits with the current mood in order to have a chance to be reelected. The national mood will be operationalized by exploring statistics of swedes attitudes towards refugees. The reason for choosing to analyze the attitudes towards refugees and not specifically unaccompanied minors is because there is no available data on attitudes towards unaccompanied minors. But since unaccompanied minors are a category of refugees the statistics will be useful in order to draw a conclusion if swedes are positive towards reception of refugees in general. If so, it is likely that they are positive towards reception of unaccompanied minors too. By analyzing whether the swedes are positive or negative towards refugees I will get indications of the national mood, which makes it possible to analyze whether the law about mandatory reception was compatible with the national mood.

The statistics about swedes attitudes towards refugees will be collected from the SOM-institute (www.som.gu.se), which is an independent survey research

organization at the University of Gothenburg. The institute has for years focused on swedes habits, behavior, opinions and values with respect to society, politics and media, which make it a valuable source for statistics. The statistical information will also be completed with reports published at the SOM's webpage about how attitudes towards refugees have evolved during 2006-2013.

According to the MS framework the national mood is strongly affected by the ideology of the government. If there is a shift in government there will likely occur a change in the policy agenda, which also affects the policy outcome produced by the government. In Sweden there were two elections between 2006-2012. In the first election in 2006 a government shift occurred as Moderaterna (The Moderate party) was able to form a majority government with Centerpartiet (The Centre Party), Folkpartiet (the Liberal People's party) and Kristdemokraterna (the Christian Democrats). In the election in 2010 the same government was elected but this time they lost its majority and governed as a minority government. In order to analyze if the political ideology of the government was compatible with the law that was proved in 2013 I will look at the government parties' opinions regarding local self-government. The reason for choosing to look at their opinions regarding local-self government is because the law made it mandatory for the municipalities to receive asylum-seeking children which affects the local self-government. By doing so the expectations is that I will be able to draw a conclusion whether the law was compatible with the political ideology of the government. The information about the their political opinions regarding local self-government will be collected from the official government report *SOU 2009:17 Kommunal kompetenskatalog –en problem orientering* (Municipal Competence directory –a problem orientation) written by A. Gustafsson. In the report she analyzes the official political manifestos of all the parties represented in the parliament regarding their opinion on local self-government.

When the findings from the politics stream has been analyzed the second hypothesis will be tested:

Politics Stream H2

The national mood and the political ideology of government supported a policy change.

5.2.3 The Policy Stream

According to the MS framework there are two criteria a policy alternative must meet in order to be selected by policy makers: technical feasibility and value acceptability. Technical feasibility means that the proposal has to be relatively easy to implement with regards to time, financial costs and effort. In order to investigate if the proposed law regarding mandatory reception was technical feasible a document analysis will be done. There are three main documents that

will be analyzed. In each of them I will analyze the argumentation regarding the implementation of the policy with focus on time, financial costs and effort.

The first one is the Swedish Government Official Report *SOU 2011:64*. The reason for choosing this report is because it was the first official report from the government that proposed the alternative to make a law regarding mandatory reception of unaccompanied minors. Later on I will analyze the official Government bill *Prop. 2012/13:162* where the government states how the mandatory reception should be implemented. Since the government wanted the law to be approved it is likely that the documents are positive about how the implementation should be conducted. In order to get a more nuanced picture if the policy alternative was technical feasible I will also analyze a consultation response regarding the proposed law by SALAR. The reason for choosing this report is because SALAR represent and advocates for all the Swedish municipalities.

The second concept value acceptability refers to that the policy proposal has to be suitable with the ideological values of the policy makers. Since the government proposed the law regarding mandatory reception they are the policy makers and their ideological values will be investigated in the political stream. When the two concept have been analyzed the third hypothesis will be tested:

Policy Stream H3:

There was a policy alternative to the problem, which was technical feasible in terms of financial costs, time and effort.

5.2.4 Policy Entrepreneurs

According to the MS framework, policy entrepreneurs refer to individuals who try to attach a problem with a solution. A policy entrepreneur could be anyone with knowledge and interest in the policy field such as politicians, legislators and leaders of interest groups. In order to test it there were any policy entrepreneurs who were successful at attaching a problem to a solution the *SOU 2011:64* will be analyzed. The expectation is that the *SOU 2011:64* will provide some information about who firstly initiated the policy alternative regarding mandatory reception and make it possible to investigate deeper in it.

This element of the theory will be hardest to test and would most likely benefit from some interviews in order to complement the information from the *SOU 2011:64*. By conducting some interviews with the actors involved in the policy formation maybe one could get a better understanding of who acted as a policy entrepreneur in this specific case. Due to the scope of this study it was not possible to conduct interviews.

Policy Entrepreneurs H 4:

The policy entrepreneurs were successful in attaching a problem with a solution.

5.2.5 Policy window

To recapture the discussion from the theoretical chapter, an opening of a policy window can occur due to three factors. Firstly, there is a change in the political stream, such as a government shift or a change of national mood. The change gives policy entrepreneurs an opportunity to push for a policy alternative, which was not possible before.

Secondly, a window could open because the government is sensing a pressing problem that needs to be solved. When the government is feeling pressed by a problem they reach for an alternative solution in the policy stream.

Thirdly, the government cast out for ideas to solve a problem. According to the framework the government carefully consider if an alternative will produce legislation or not. If so, they reflect on how the public will receive the legislation. In some cases when the government knows that a law could be too controversial and reflect badly on the administration they chose to not open a window.

All the factors mentioned above are highly dependent on that the other streams are evident in the policy process formation regarding mandatory reception of asylum-seeking unaccompanied minors. If there is no evidence of the other streams a policy window will not open and the applicability of the framework will not provide for a sufficient explanation of the policy outcome regarding mandatory reception of asylum seeking unaccompanied minors. The opening of a policy window will be operationalized by analyzing what happened in the previous streams in order to get an idea if there was a change in the political stream, if the government was feeling pressed by the problems in the problem stream or if the government cast out for ideas regarding the reception of unaccompanied minors. When this have been analyzed the fifth and last hypothesis will be tested:

Policy Window H5

An opening of a policy window occurred which enabled the policy to be adapted.

6 Analysis

In this chapter the empirical material of the study will be presented and analyzed. The analysis will be structured according to the five elements of the MS framework. Each of the elements will be tested by a hypothesis in order to conclude if the elements were present in the policy process and enabled the policy outcome about mandatory reception of minors to be implemented. The chapter will end with a discussion of the findings from the study.

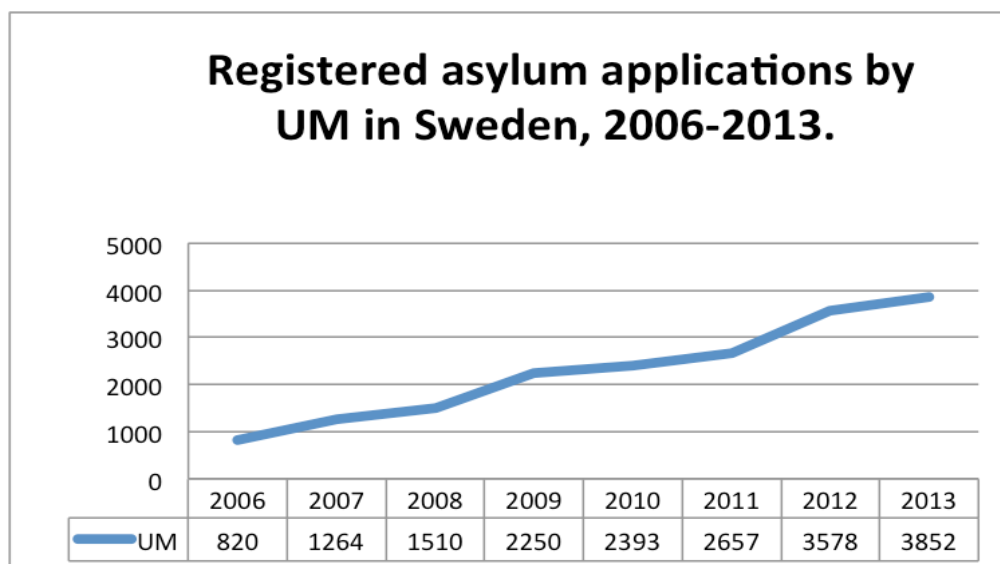
6.1 The Problem Stream

In this section statistical indicators, feedback on existing policies and focusing events will be presented and analyzed in order to test if there were enough problems with the current reception of asylum seeking minors between the years 2006 -2013, which triggered a policy change.

The statistics presented underneath will serve as an indicator of how the reception of unaccompanied minors increased between 2006-2013. As shown by the figure 2, there has been a constant increase of number of applications every year since 2006, especially between 2008-2009 and 2011-2012. When the parliament enforced the law in 2006 on voluntary reception of unaccompanied minors, the government estimated that the influx of asylum seeking unaccompanied minors would be around 400 minors every year (Häggroth 2009:5). As shown by the figure, the influx was far higher than what the government had expected.

Figure 2.

Source: Migrationsverket 2015



According to the MS framework statics can contribute to raise attention to a problem but it needs a little push to get enough attention of people inside and outside government working institutions. When analyzing the report *SOU 2011: 64* it was found that the problems with the reception of unaccompanied minors got a little push in 2007 when four of the Swedish municipalities: Solna, Mölndal, Sigtuna and Malmö together with SALAR sent the government feedback on the existing policy regarding the reception of unaccompanied minors in form of a consultation response (Solna stad, Mölndal stad, Sigtuna kommun, Malmö stad, SKL 2007: 1). In the consultation response the four municipalities together with SALAR requested an amendment of the law from 2006 regarding the voluntary reception of unaccompanied minors because they did not consider that law functioned as intended and stated that the:

The current legislation has completely broken down. (Solna et al 2007: 2)

When the law regarding the reception of asylum seeking unaccompanied minors was enforced in 2006, the four municipalities mentioned above were assigned to provide temporary accommodation centers for minors since the Migration Agency had asylum application centers located in these municipalities. The four municipalities were only supposed to take care of the minors temporary until the Migration Agency placed the minors in municipalities that had reached an agreement to receive minors. But as the Migration Agency expected an influx of around 400 minors a year and not 1264 as in 2007, the Migration Agency had not made enough agreements with municipalities regarding reception of minors. Since there were no places available in the municipalities a lot of the minors were stuck at the temporary accommodation centers in the four municipalities. On the 20 January 2007 there were 270 unaccompanied minors in the temporary accommodation centers (Solna stad et al 2007: 1). According to the original intentions of the law in 2006 the four municipalities should only take care of a very limited number of minors about 2-15 minor for 1-14 days before the Migration Agency sent the minors to other municipalities who had reached an agreement about reception (Solna stad et al 2007: 2).

According to the consultation response, the four municipalities believed that this situation was unsustainable for both the minors and the municipalities. Staying too long in a temporary accommodation could affect the minors in a negative way and cause stress, amongst other psychological disturbances, since they do not know when and if they will be moved to a permanent accommodation for asylum-seeking minors. In addition, the municipalities argued that the current situation clashed with the local self-government, since these municipalities were forced to receive minors because the Migration Agency's asylum application centers were located in these municipalities. The municipalities also considered that the compensation for municipalities to receive minors was too low as only 1/10 municipalities thought about signed an agreement with the Migration Agency about receiving minors. In the light of this, the four municipalities and SALAR urgently requested the government to change the current legislation and proposed

that the Migration Agency instead of the municipalities, should take over the responsibility for providing temporary accommodation to unaccompanied minors (Solna stad 2007: 3).

The government did obviously not change the legislation in accordance to the request of the four municipalities and SALAR but became aware that there were some problems with the current voluntary reception system.

When analyzing the newsletters from the Migration Agency, I found out that two focusing events occurred in 2007 and 2009, which highlighted the problems with the reception system (Migrationsverket 2011: 12). The first focusing event occurred on October 10th 2007 when the Director-General of the Migration Agency D. Eliasson published a list on the Agency's webpage with municipalities that had not even wanted to consider receiving unaccompanied minors. In total 14 municipalities were on the list and it became a huge news in the Swedish media (Svenska Dagbladet 2007).

According to Eliasson the Migration Agency chose to expose the 14 municipalities because they did not want to take a shared responsibility regarding the reception of unaccompanied minors. He expressed that:

I hope that this measure, which can be seen as unconventional, result in discussions in the municipalities about receiving unaccompanied minors (Värjö 2007)

One month later five of the municipalities that were on the list started to consider if they should receive unaccompanied minors. The other nine still did not want to receive any minors for mainly economical reasons and because they already had a shortage of accommodation places in the municipalities (Brattberg 2007).

The second focusing event occurred on the 3 August 2009 when the Director-General of the Migration Agency, together with the General-Director of Save the Children and the Ombudsman for the Children wrote a debate article in one of the biggest Swedish newspapers. In the article they appealed for more municipalities to take their responsibility and receive more minors. According to the authors 250 minors were stuck in the temporary accommodation centers provided by the four municipalities: Solna, Mölndal, Sigtuna and Malmö. The authors stated that the situation was alarming, if more municipalities did not receive minors there would be a risk that Sweden could not live up to the United Nations Convention on the Rights of the Child (UNCRC). The reason for why Sweden could not live up to the UNCRC was because the minors that were stuck at the temporary accommodation centers did not have access to education and were not assigned a custodian.

Now the first hypothesis will be tested:

Problem Stream H1

There were indicators of problems with the current reception of asylum seeking unaccompanied minors in 2006-2013, which triggered a policy change.

The information presented in this section indicates that there were several problems with the voluntary reception system between 2006-2013 that needed to be solved in some way. Firstly, the influx of minors was much higher than the government had expected and therefore there were not enough agreements between the Migration Agency and the municipalities to receive the unpredicted influx of minors. Secondly, since there was a shortage of agreements to receive minors a lot of them were stuck at temporary accommodation centers for too long. Due to this, Sweden risked to violate the UNCRC because the minors at the temporary accommodation centers did not have access to education and custodians. Thirdly, the four municipalities where the Migration Agency's asylum application centers were located could not choose if they wanted to receive minors or not and therefore the legislation about voluntary reception was not working as intended.

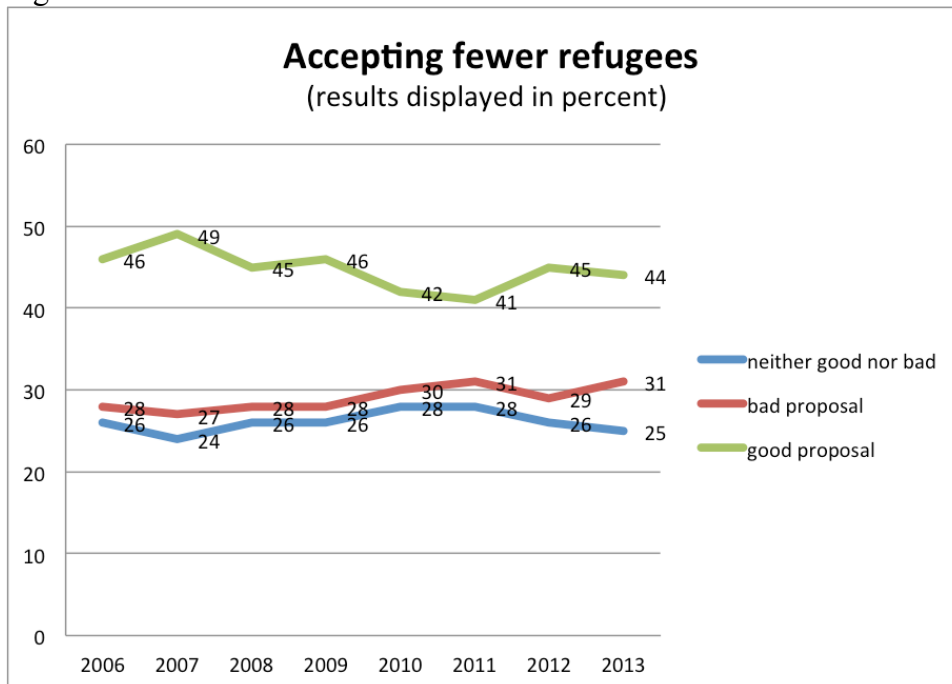
Since all of these problems demonstrated quite huge flaws with reception system, especially considering that Sweden risked violating the UNCRC, it could be assumed that these problems triggered a policy change. Therefore, the conclusion is that the hypothesis is true.

6.2 The Politics Stream

In this section the national mood and the political ideology of the government will be presented and analyzed in order to test if the two factors supported a policy change regarding a mandatory reception of asylum seeking unaccompanied minors.

According to the MS framework, when politicians propose a new policy they try to find an alternative that fits with the current national mood. In order to investigate the national mood in the period between 2006-2013 statistics on Swedes' attitudes towards accepting refugees will be presented in the figure under. In the survey the respondents had to consider if the proposal to "accept fewer refugees" was a "good proposal", "bad proposal" or "neither good nor bad".

Figure 3.



Source: SOM-institute 2013

As noted by the figure the attitudes towards accepting refugees has been relatively constant in the period between 2006-2013. Yet, smaller fluctuations can be seen between some years. Particularly during 2007, when 49 percent of the respondents considered it to be a good proposal to accept fewer refugees. Since then, there has been a small decrease of people who consider it to be a good proposal to receive fewer refugees. So overall, the majority of the respondents consider it to be a “bad proposal” or “neither good nor bad” to accepting fewer refugees. This indicates that a majority of the Swedes at least are not in favour of accepting fewer refugees. Researcher such as L. Sandberg and M. Demker also concludes in their reports that swedes attitudes towards accepting refugees have become more positive since the 1990s (Sandberg, Demker 2014: 74; Sandberg, Demker 2013: 193). Since the attitudes towards refugees in general have become more positive it is also likely that swedes would be quite positive towards accepting unaccompanied minors as well.

As mentioned in previous chapter the political ideology of the government will be analyzed by presenting the government parties opinions regarding local self-government. The reason for looking at their opinions regarding local self-government is because the law about mandatory reception is affecting the local-self government since municipalities cannot choose if they want to receive unaccompanied minors or not.

When analyzing the four government parties: The Moderate Party, The Centre Party, The liberal People’s Party and the Christian Democrats opinions regarding local self-government it was found that all the parties are for a strong local self-government. Even though, the political parties just touch up on local self-government very shortly in their political manifesto they stated that decisions

should be made as close to the people affected by it. The Moderate Party explicitly stated in their manifesto that the local self-government is important and means that the state should give municipalities as much freedom as possible to organize its activities by themselves without involvement by the state (SOU 2009:17 p.41-43). Since the government parties are for a strong local self-government it is quite surprising that they proposed a law about mandatory reception since it affects the local-self government.

Now the second hypothesis will be tested:

Politics Stream H2

The national mood and the political ideology of government supported a policy change.

According to the information presented in this section it is hard to determine if the second hypothesis is true or false. The statistics on Swedes attitude towards accepting refugees indicates that the national mood has become more positive towards refugees in general. Therefore the conclusion could be drawn that the Swedes would probably be positive or at least not negative towards receiving unaccompanied minors too. This indicates that the first part of the hypothesis regarding the national mood is true.

When it comes to the political ideology of the government, it is hard to draw a conclusion because there is very little written in the political manifestos about opinions regarding local-government.

So, since the first part of the hypothesis regarding the national mood probably is true and the other part regarding the national mood cannot be tested, it is impossible to state whether the whole hypothesis is true or false. Therefore, the conclusion is that the hypothesis is true to some extent.

6.3 The Policy Stream

In this section the Swedish Government Official report *SOU 2011:64*, the official Government Bill *prop. 2012/13:162* and a consultation response from SALAR regarding the policy alternative to enforce mandatory reception of unaccompanied asylum seekers will be presented and analyzed. This will be done in order to test if the policy alternative met the two criteria: technical feasibility and value acceptability, which a policy alternative has to meet according to the MS framework in order to be selected by policymakers. The main focus in this section will however be on whether the policy alternative was technical feasible, since value acceptability which refers to that a policy has to be compatible with the ideological values of the government, has already been analyzed and tested in the previous subchapter.

When referring to technical feasibility the emphasis is put on whether the policy alternative is easy to implement in terms of financial costs, time and effort. The first time the policy alternative of mandatory reception of unaccompanied asylum seeking minors was officially considered by the government was when the *SOU 2011:64* was presented in October 2011. In the report the investigators argued that the policy would be easy to implement regarding financial aspect since the government would compensate all the municipalities for receiving unaccompanied minors. The compensation provided by the state would be sufficient to cover accommodation costs that come with receiving minors. In the report the investigators even expressed that the state would make savings if the policy alternative was implemented as proposed (*SOU 2011:64* p.96; Prop. 2012/13: 162 p. 8).

The shortage of agreements about receiving minors between the Migration Agency and the municipalities has led to that about 500 minors have remained in temporary accommodation centers between 2006-2011. The municipalities where the temporary accommodation centers are located like Malmö, Solna, Mölndal and Sigtuna has due to this been forced to procure accommodation places from private actors which are more expensive than the accommodation places provided by municipalities which have reached an agreement with the Migration Agency to receive minors. According to the investigators the average cost of placing a minor in a temporary accommodation center is estimated about 2 300 SEK per day per minor. The cost for a minor per day at a permanent accommodation provided by a municipality which has reached an agreement with the Migration Agency is 1 900 SEK. If the policy alternative about mandatory reception would be approved the Migration Agency could place the minors faster in a municipality and fewer minors would be stuck at temporary accommodation center. The investigators estimate that this would save the state 73 000 000 SEK per year (*SOU 2011:64* p. 96).

Elisabeth Melin who wrote a consultation response on the behalf of SALAR did not agree with the investigators that the policy alternative would be easy to implement with regards to the financial costs since the compensation provided by the state for receiving minors was not sufficient. According to the investigators the state would compensate the municipalities for the accommodation costs. Melin argued that there are more costs that the state should compensate the municipalities for receiving minors, like the cost for the chief guardians work with recruitment, education and supervision of custodians for the minors. The state should also compensate the municipalities who receive minors for educational costs since the municipalities have to hire more teachers in the schools due to the influx of minors (*SOU 2011:64* p. 108). Even though, SALAR represent all the Swedish municipalities some municipalities sent a specific consultation responses regarding the policy alternative about mandatory reception proposed in the *SOU 2011:64*. One of the municipalities that sent in a consultation response was the municipality of Hedemora.

The municipality of Hedemora wrote that the alternative of a mandatory reception would result in huge financial costs for the municipalities since they may be forced to have a constant readiness to receive unaccompanied minors, which they cannot be compensated for because the state according to the proposed alternative

only compensates the municipalities when there is a minor staying in the accommodation. Therefore, the compensation by the state should be reviewed so it includes costs for providing accommodation places even if there are no unaccompanied minors staying there at the time. Several other municipalities like Stockholm, Göteborg, Malmö agreed with Hedemora that there are elements in the proposed alternative about a mandatory reception system that the investigators have not considered and will according to the proposal not be fully funded by the state which would have negative financial consequences for the municipalities (Prop 2012/13: 162 p. 23).

When it comes to implementing the policy alternative about mandatory reception with regards to time and effort there were different opinions on how much time and effort it would require. The investigators from the *SOU 2011:64* report considered that the municipalities and the Migration Agency should get one year and two months from October 2011 when the policy alternative was proposed to prepare themselves for a mandatory reception. This meant that the policy alternative according to the investigators should be implemented in 1 January 2013. The Migration Agency and The National Board of Health and Welfare considered that it was not enough time for the authorities and the municipalities to prepare for this. The Migration Agency stated it would require a lot of effort and time to prepare for a mandatory reception system since the Migration Agency would need to develop guidelines and procedures on how the mandatory reception would function in practice. The two authorities suggested instead that the policy should be enforced by law on 1 July 2013. Due to the fact that the Migration Agency and the municipalities needed more time to prepare for a mandatory reception system the government suggested that the policy should be enforced by law in 1 January 2014, which would give them one year more to prepare themselves than the investigators initially suggested (Prop. 2012/13: 162 p. 24).

Now the third hypothesis will be tested:

Policy Stream H3:

There was a policy alternative to the problem, which was technical feasible in terms of financial costs, time and effort.

When looking at the initial suggestion presented by the *SOU 2011:64* it is clear that the policy alternative was not technical feasible with regards to financial costs, time and effort since the municipalities, the Migration Agency and the National Board of Health and Welfare stated that it would be impossible for them to implement the policy on January 1st 2013. Later on the government changed the implementation date and gave all the actors involved in the reception system more time for the implementation of the policy. This indicates that the policy alternative probably was technically feasible with regards to time and effort. But the government held on to that the compensation provided by the state for receiving minors was sufficient. Since the municipalities considered that the compensation was insufficient it is hard to draw a conclusion whether or not the policy was technical feasible with regards to financial costs.

Therefore, the conclusion is that the hypothesis was true to some extent since the policy alternative was technically feasible in terms of time and effort, but the financial aspect is difficult to judge due to the disparity in opinions between the government and the municipalities.

6.4 Policy Entrepreneurs

In order to investigate if there were any policy entrepreneurs who were successful at attaching a problem to a solution the *SOU 2011:64* was analyzed. In the *SOU 2011:64* a report called *Hem, ljuva hem* (Home sweet home) was found which B. Eriksson wrote. The report was the first one to investigate how the problem that there were not enough agreements made between the municipalities and the Migration Agency about receiving unaccompanied asylum seeking minors could be solved. In this subchapter the report will be presented and analyzed in order to test if there were any policy entrepreneurs who were successful at attaching a problem with a solution.

Eriksson was tasked with writing the report on the behalf of the government the 26 November 2009 and handed it in on march 12th 2010. In the instructions given by the government, Eriksson should present suggestions on how the current system, at that time, could be improved. He was also given the task to present municipal arguments against receiving minors (Eriksson 2010: 2).

In order to conduct the report Eriksson talked to all the main actors involved in the reception system such as: the Migration Agency, the National Board of Health and Welfare, the Ombudsman for children, the Police, Skolverket (the Swedish National Agency for Education) and Ungdomsstyrelsen (The Swedish Agency for Youth and Civil Society) (Eriksson 2010: 6).

In the report, Eriksson came to the conclusion that the problem with that there is not enough agreements between the municipalities and the Migration Agency about receiving minors could be solved in two ways. The government could either improve the financial incentives so that more municipalities voluntarily reached agreements with the Migration Agency about receiving minors or make it mandatory by law for all municipalities to receive minors. In the report he did not state which solution was the most appropriate to solve the problem (Eriksson 2010: 21).

Now the fourth hypothesis will be tested:

Policy Entrepreneurs H 4:

The policy entrepreneurs were successful in attaching a problem with a solution.

Based on only the report, *Home sweet home*, its difficult to determine if there were any policy entrepreneurs who tried to attach a problem to a solution since all the authorities, organization and municipalities involved could be potential policy

entrepreneurs. One could also assume that Eriksson acted as a policy entrepreneur since he was the one who presented the two solutions to the problem. He might have presented the two solutions officially in the report but pushed for mandatory reception unofficially since the government chose to start an investigation on mandatory reception when they initiated the *SOU 2011:64* report. However this, is only an assumption, there could be, as mention above, other policy entrepreneurs involved in the policy making process. Due to the fact that it is difficult to identify if there were any policy entrepreneurs who pushed for mandatory reception it makes it impossible to test if the fourth hypothesis is true or false. Therefore, the conclusion is that the hypothesis cannot be tested.

6.5 Policy Window

The last part of the analysis will test and determine if an opening of a policy window occurred, which enabled the policy about mandatory reception to be adopted. Before the test a short recap of how a policy window opens will be presented. According to the MS framework there are three factors that can cause a policy window to open. Firstly, there is a change in the political stream such as a government shift or a change in the national mood. Secondly, a window could open due to that the government is sensing a pressing problem that needs to be solved and therefor reach for a policy solution in the policy stream. Lastly, the government cast out for ideas to solve a problem.

In this case it could be argued that the first factor, a change in the political stream, probably did not cause the policy window to open since there was no shift in the government in the period between 2006-2013. In the period, the Moderate party formed the government together with the Centre Party, the Liberal People's Party and the Christian Democrats. Also the national mood towards accepting refugees was relatively constant in that time period with just some small fluctuations between some years. Therefore, no change could be noted in the political stream that could result in an opening of a policy window.

It is more likely that the combination of the second and third factor enabled a policy window to open. The second factor states that a policy window can open when the government is sensing a pressing problem. According to the "problem stream", which was analyzed in the first subchapter, there were several problems with the voluntary reception system in the period between 2006-2013. Since the problems were addressed by the Migration Agency, some municipalities and the Swedish newspapers, it is highly likely that the government found out about these problems and felt that they needed to solve them. Especially the problem that a lot of minors were stuck at temporary accommodation centers for too long and due to this Sweden risked violating the UNCRC, which could affect Sweden's reputation in a negative way. In order to solve the problems with the voluntary reception, which did not work as intended, it is highly likely that the government cast out for ideas to solve the problem since government initiated the *SOU 2011:64* report. In

the report the investigators were given the task to come up with solutions on how the reception system of asylum seeking unaccompanied minors could be improved. In the policy stream subchapter the solution was presented which was to enforce a mandatory reception system of minors. Therefore, it can be assumed that the government first cast out for ideas to solve the problems with the voluntary reception and later on reached for a policy alternative in the policy stream.

Now the fifth and last hypothesis will be tested:

Policy Window H5

An opening of a policy window occurred which enabled the policy to be adapted.

According to the information presented in this section it could be assumed that an opening of a policy window occurred since the government probably felt pressed by the problems presented in the problem stream and reached for a solution to solve them. This probably enabled the policy alternative about mandatory reception to be adopted which indicates that the fifth hypothesis is true.

6.6 Discussion of the result

Now when all the five hypothesis of the MS framework have been tested against the empirical material a short summary of the result and a short discussion of the findings will follow. As for the hypothesis, the findings were as follows:

H1 the Problem Stream	• True
H2 the Political Stream	• True to some extent
H3 the Policy Stream	• True to some extent
H4 the Policy Entrepreneurs	• Could not be tested
H5 the Policy Window	• True

The first hypothesis, about the problem stream, is considered to be true since there were several indicators of problems with the voluntary reception system between 2006-2013. The problems became evident by the statistics provided by the Migration Agency and the feedback on the existing policy in 2007, in form of a consultation response to the government from the municipalities of Malmö,

Sigtuna, Mölndal, Solna and SALAR. The problems with the reception got more attention when the two focusing events occurred in 2007 and 2009 when the Director-General of the Migration Agency highlighted in Swedish media that there were not enough agreements reached between the municipalities and the Migration Agency in terms of receiving minors.

The second hypothesis, about the political stream, is considered to be true to some extent. This conclusion was drawn since the empirical material about the national mood indicated that the national mood would probably support a policy change. But, the other part of the hypothesis, about the political ideology of the government, could not be tested since there was not enough empirical material to investigate if the political ideology of the government supported a policy change or not.

The third hypothesis is also considered to be true to some extent since not all parts of the hypothesis could be tested. As stated in the policy stream subchapter, the hypothesis aimed at testing whether the policy alternative to the problem was technical feasible in terms of financial cost, time and effort. The empirical material indicated that the policy alternative, which was to enforce mandatory reception of minors, was technical feasible in terms of time and effort. But the part about financial costs could not be proven due to the disparity in opinions between the government and the municipalities about the financial costs that the policy alternative would possibly bring.

The fourth hypothesis could not be tested since there was not enough empirical material to determine if there were any policy entrepreneurs involved in the policy making.

Lastly the fifth hypothesis of the study is considered to be true since the government probably felt pressed by the problems presented in the problem stream. Due to this, it is likely that the government reached for a policy alternative to solve the problems and the investigators of the SOU 2011:64 report suggested that the problems with the voluntary reception could be solved by making the reception of minors mandatory for all Swedish municipalities by law. Considering that the government felt pressed to solve the problems it could be assumed that the policy change, from voluntary to mandatory reception of minors, was triggered by the problem stream.

As shown by the result some of the elements of the MS framework were harder to test than others. The problem stream was probably the most straightforward element of the theoretical framework and according to the result it was also the stream that triggered the policy about mandatory reception to be implemented. The politics stream could be tested to some extent but the part about that the political ideology of the government has to support a policy change was harder to test due to the empirical material. In order to test that part of the hypothesis, the empirical material would benefit from some interviews with politicians since there

was very little written in their political manifestos. The element about policy entrepreneurs' role in the policy process would also have benefited from interviews in order to understand which policy entrepreneurs were involved in the policy making and what kind of role they had. Yet, due to the time constraints of the study it was not possible to conduct interviews. A more in depth analysis of the different elements of the theory would also be preferred in order to draw more certain conclusions whether the elements were evident in the policy formation process.

7 Conclusions

This thesis focused on how and why the puzzling policy about mandatory reception of asylum seeking unaccompanied minors came to be implemented in Sweden in 2014. In order to investigate the policy change from voluntary to mandatory reception of minors the MS framework was applied in the study. The MS framework was used as an analytical tool to identify factors that enabled the policy to be implemented. The five elements of the framework: problem stream, politics stream, policy stream, policy entrepreneurs and policy window were operationalized into five hypotheses that were tested on the empirical material.

Although, the result from the study concludes that not all the hypothesis could be tested fully, several observations can be made in terms of how and why there was a policy change from voluntary to mandatory reception of asylum seeking unaccompanied minors in Sweden. Firstly, as mentioned above, the problem stream had an extensive influence in the policy process since it triggered the government to find a solution to the problem that a lot of minors were stuck in temporary accommodation centers otherwise Sweden risked violating the UNCRC. There were also a lot of pressure from the municipalities and the Migration Agency since the policy about voluntary reception did not function as intended when it was implemented in 2006. The influx of minors was much higher than what the government had emphasized and due to this, there had not been enough agreements made between the between the Migration Agency and the municipalities to receive minors. In the policy stream it became evident that the government felt that they had to come up with a solution to the problems since the government initiated an investigation on how the reception system could be improved. The solution presented in the investigation report was to make the reception a mandatory task for all the Swedish municipalities by law. According to the result, a policy window opened due to that the government felt pressured to solve the problems and therefore adopted the policy regarding mandatory reception. In the study there was one element of the MS framework that was impossible to test, the element policy entrepreneurs, due to lack of empirical material. Since this is the first study made about how and why the reception of minors became a mandatory task for the Swedish municipalities the findings would benefit from some more in-depth analysis to provide more evidence for the findings in this study.

Overall, it can be emphasized that the MS framework has provided a sufficient analytical tool in order to analyze the policy formation process since it indicates that several of the streams were evident in the policy formation process. The framework also gives the researcher a chance of analyzing the whole policy

formation process and gives the researcher a broader understanding of what kind of factors could explain a policy change.

In future research, it is recommended to investigate the policy entrepreneurs' role in the policy formation since it is a central concept of the framework and could not be tested in this study. In order to test the elements, the suggestion is to conduct interviews with different actors involved in the policy process, since it is hard to find out about their role from just analyzing official material such as reports, consultation responses and similar documents. It would also be fruitful to conduct a more in-depth analysis of some parts of the framework instead of trying to analyze it as a whole since it would probably give more certainty of how some elements of the framework affect a policy formation process. Additionally, it would also be interesting to study how the reception of minors is conducted in other EU member states, since all member states legislate domestically on the matter.

8 References

8.1 Laws, EU directives, government proposals etc.

8.1.1 Laws

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Regeringsformen chapter 14 § 2, 4, and 6

8.1.2 EU Directives

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8.1.3 EU documents

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8.1.4 Government bills and reports

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Prop. 2012/13:162 Kommunalt mottagande av ensamkommande barn

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8.2 Consultation response

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