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Access to Social Justice

The Intersection of Homelessness and Migration in Europe: A
Multiple Case Study of Italy and Sweden

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Abstract

This study maps the intersection of homelessness and migration in Europe by focusing on Italy and Sweden; in the study, 'Europe' is defined by the Schengen Common Area Agreement, by the Common European Asylum System and by the Dublin Regulation. Using Kimberlé Crenshaw's Intersectionality as one of its main theoretical reference points, the study argues that different dimensions of power relations may combine to create unique modes of discrimination that apply specifically to homeless migrants in Italy and Sweden. Moreover, with reference to Nancy Fraser's Scales of Justice and the principles of Recognition and Redistribution, in order to eradicate the homelessness that different social groups suffer from, we must recognise differences and redistribute wealth more equally. Based on fieldwork among migrants, NGOs workers and professionals, all of whom are dealing with immigration procedures and homeless migrants' (lack of) access to housing, healthcare and employment, the study finds that there are significant obstacles to social justice. In both Italy and Sweden most of the research participants became homeless upon migrating. The same migrants, in both countries, face all the harmful effects of homelessness, lack of access to healthcare and employment, which in turn drive some individuals toward addiction and substance abuse. The study main finding suggests that the absence of a permanent abode is the migrant's gravest limitation because for those suffering of a pre-existing medical or psychological condition the situation is aggravated further. Additionally, upon becoming homeless migrants can rely solely on NGOs for support (shelter, healthcare and food).

Keywords: homelessness; migrants and refugees; Intersectionality; Scales of Justice; Redistribution and Recognition; multiple case study; Italy and Sweden.

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“...The security decree on immigration aims to make Italy safer. A Law that gives rights to real refugees, but which sends home those fake refugees who assault, deal drugs, rape and raise hell outside people’s front doors, that’s enough! We have enough of this scum here. Those little ethnic shops that have become a meeting place for drug dealers and people who raise hell must close at nine o’clock in the evening ...” Matteo Salvini, former Italian Interior Minister 11 October 2018 ¹

Background

I grew up in a small village in Northern Italy, and what Salvini said resonated with me, as I remember seeing people behaving as he described. The village in question had a population of around 5,000 and was the kind of place where everyone knew everyone; an interconnectedness which went back generations. As a child, looking out from my bedroom window at the bar located just below it, I remember seeing the fights, yelling, the police raids and people raising hell.

Of course, I did not understand what I was seeing at the time, but I saw it and still remember it. I should also say that there exists a crucial difference between Salvini’s story, and how I remember it. In mine, the characters were born and bred in Italy and had been brought up steeped in the local traditions and culture; those who did drugs and raised hell outside people’s front doors were not migrants but local boys and men. In the following pages I will attempt to clarify the differences between Salvini’s story and mine.

In the thesis, Social Justice is understood as a state of affairs in which benefits and burdens in society are evenly distributed, where the basic rights, liberties, and entitlements of individuals and groups are protected and where all human beings are treated with dignity by the authorities and their fellow citizens.² In this sense, social justice considers the needs of each individual (and minority groups) and guarantees more than access to the formalities of the law. Access to social justice thus entails access to housing, to all aspects of healthcare and to

¹ My translation of: “il decreto sicurezza immigrazione .. è un decreto che vuole portare più sicurezza sulle strade italiane, che riconosce i diritti ai profughe veri, ma rispedisce a casa i finti profughi che picchiano, spacciano, stuprano ... e che fanno casino sulla porta di casa, basta! Di questa gentaglia qua ne abbiamo a sufficienza .. la chiusura entro le ore ventuno di quei negozietti etnici che la sera diventano ritrovo di ubriaconi, spacciatori, casinisti.” Video available at: <https://www.ilfattoquotidiano.it/2018/10/11/salvini-negozietti-etnici-ritrovo-di-ubriaconi-chiuderanno-entro-le-21-confesercenti-no-a-norme-discriminatorie/4686387/> (accessed on 2020-03-20 at 18:22)

² Jost J T & Kay A C (2010), Social justice: History, theory, and research. In S. T. Fiske, D. T. Gilbert, & G. Lindzey (Eds.), *Handbook of social psychology* (p. 1122–1165). John Wiley & Sons Inc. . Available at: <https://onlinelibrary-wiley-com.ludwig.lub.lu.se/doi/epdf/10.1002/9780470561119.socpsy002030> (accessed on 2020-04-22 at 14:58)

employment. In what follows below, I will endeavour to show that in order to reduce social harm we must strive for social justice and go beyond the certainty that the contested notion of the ‘rule of law’ allegedly brings to human affairs. Even though it can be argued that “*law is amongst the few formal tools we can employ to enhance certitude in human affairs*”³ its effectiveness can only be verified when we study its application in reality.

I am a European migrant who left his country of birth (Italy) at the age of 24 and migrated to the UK to look for more opportunities and who in 2015 migrated to Sweden to do the same. Perhaps, most of those who migrate do so to find more and better opportunities, not to raise hell. Salvini’s quote is a stark reminder of how being an ‘other’ in today’s Europe may be looked upon. Moreover, it is because I have a law background and I am interested in how law functions in society as well as in its promise to improve people’s living conditions that I decided to write about these issues.

1. Introduction

There are two ways in which I want to look at Europe:

1. The Schengen Common Area of freedom of movement for all citizens of member states. Today, the Schengen Area includes 26 European Union (EU) States (*see footnote*), apart from Bulgaria, Croatia, Cyprus, Ireland and Romania. However, Bulgaria, Croatia and Romania are in the process of joining the Schengen Area. Of non-EU States, Iceland, Norway, Switzerland and Liechtenstein have joined the Schengen Area. Any person, regardless of nationality, may cross the internal borders without being subjected to border checks. However, competent national authorities can carry out police checks at internal borders and in border areas, provided that such checks are not equivalent to border checks.⁴

³ Banakar Reza (2015), *Normativity in Legal Sociology. Methodological Reflections on Law and Regulation in Late Modernity*, n.p.: Cham: Springer International Publishing: Imprint: Springer, p.13

⁴ European Commission (2020), *Migration and Home Affairs – Schengen Area*. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen_en (accessed on 2020-03-12 at 11:53) - Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland.

2. Europe as defined by the Common European Asylum System⁵ (CEAS) and by the Dublin Convention Regulation III.⁶ The Regulation determines which Member State is responsible for the assessment of the asylum application; the criteria for determining where the onus lies is based on different factors. On the territory of which country has the migrant entered the EU? Has the applicant entered the EU lawfully or unlawfully? Is there a country in the EU where the migrant is heading and where the migrant has family ties?⁷

Hence, in my thesis, I make a clear distinction between the two different types of migration that the above difference entails. Based on the data I have been able to gather, I will focus my attention on those migrants who are forcibly coming from outside Europe (in particular young black men from Muslim majority countries) and on Romani people moving out of Romania. The Romani people is a group who often become a double minority in that they are racialised in Romania because of their ethnicity and are further discriminated against when they cross borders.⁸ In my fieldwork in Sweden, I came across a group of Romani people who use a homeless shelter where I went to collect my data. Most of them earn their living by collecting refundable bottles and by begging outside supermarkets. Only a small percentage of them find shelter for the harshest winter months (December-April). For most of them, homelessness, lack of hygiene, mental health, substance abuse and the constant danger of transmissible infections constitute long-term problems.⁹

As I mentioned above, social justice endeavours to offer access to a broad set of rights such as education, racial equality, permanent safe shelter with access to sanitation and clean water, and access to all aspects of healthcare (physical, mental, dental, etc.).¹⁰

⁵ Common European Asylum System (1999), European Commission – Migration and Home Affairs. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en (accessed on 2020-03-02 at 11:17)

⁶ Office of the Refugee Applications Commissioner – EU Dublin III Regulation. Available at: <http://www.orac.ie/website/orac/oracwebsite.nsf/page/eudublinIIIregulation-main-en> (accessed on 2020-03-12 at 12:29)

⁷ Ibid

⁸ European Roma Rights Centre (2020), Challenging Discrimination Promoting Equality - Written comments by the European Roma Rights Centre, concerning the Post2020 Roadmap for Roma Inclusion. Available at: http://www.errc.org/uploads/upload_en/file/5217_file1_european-commission-submission-march-2020.pdf (accessed on 2020-03-17 at 13:58)

⁹ Ravnbøl C I (2017), Doubling Syndemics: Ethnographic Accounts of the Health Situation of Homeless Romanian Roma in Copenhagen. *Health & Human Rights: An International Journal*, Vol. 19 Issue 2, 73-88

¹⁰ European Roma Rights Centre (2020), Challenging Discrimination Promoting Equality - Written comments by the European Roma Rights Centre, concerning the Post2020 Roadmap for Roma Inclusion. Available at: http://www.errc.org/uploads/upload_en/file/5217_file1_european-commission-submission-march-2020.pdf (accessed on 2020-03-17 at 13:58)

When it comes to forced migration from outside Europe, both Italy and Sweden have recently experienced a substantial migration of refugees coming mainly from Syria and Afghanistan, and these are also groups that emerged from the data I have collected. As my study progressed, more focus was centred on unaccompanied minors from Afghanistan (in Sweden), and unaccompanied minors from Africa (in Italy). Afghani refugees stand out in my data because they are one of the largest groups of displaced refugees in modern time.

The United Nation Refugee Agency's statistics (UNHCR) show that over 70 million people worldwide have been forced from their home in recent years and while 80% of these people find refuge in neighbouring countries, only 6% find refuge in Europe.¹¹ Of the 70 million forced from their homes, 25.9 million are refugees and more than half of them are under the age of 18. Almost half of all refugees originate from just three countries: Syria 6.7 million, Afghanistan 2.7 million and South Sudan 2.3 million.¹²

These statistics should help us to put the so-called 'refugee crisis' into perspective.¹³ The United Nations contributed to the use of the term 'crisis' by establishing the usage of 'The Global Refugee Crisis'.¹⁴ The Media then arguably played a significant role in creating anxiety among the general population and politicians by framing refugees and migrants negatively as problems rather than as a potential benefit to the receiving societies.¹⁵ However, in the face of the income inequalities and consequent humanitarian crisis created by these wars the EU still remains very wealthy.¹⁶

¹¹ UNHCR, *Figures at a glance*. Available at: <https://www.unhcr.org/uk/figures-at-a-glance.html?query=figures%20at%20a%20glance> (accessed on 2020-03-02 at 09:23)

¹² Ibid

¹² Juridikcentrum, Lund (2012). Available at: <https://www.juridikcentrum.se/> (accessed on 2019-10-03 at 10:40)

¹³ For a journalistic discussion about the use of the term 'refugee crisis' see: <https://www.bbc.co.uk/news/world-europe-35549169> (accessed on 2020-05-27 at 18:54)

¹⁴ UNHCR (2016), *Global Trends - Forced Displacement in 2015*. Available at: <https://s3.amazonaws.com/unhcrshare.dmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf> (accessed on 2020-05-27 at 19:08)

¹⁵ UNHCR (2015), *Press Coverage of the Refugee and Migrant Crisis in the EU: A Content Analysis of Five European Countries*. Available at: <https://www.unhcr.org/56bb369c9.pdf> (accessed on 2020-05-27 at 19:22)

¹⁶ European Commission (2020). *Wealth concentration*. Available at: https://ec.europa.eu/knowledge4policy/foresight/topic/diversifying-inequalities/rich-poor-gap_en (accessed on 2020-04-01 at 11:59)

Lebanon for example is a country of approximately 6.8 million total population,¹⁷ which hosts approximately 1 million refugees (from Syria alone).¹⁸ Therefore Lebanon is effectively facing a refugee crisis. As some research aptly points out, when we look at the numbers, blaming the difficulties in the health and education systems of EU countries on migration, is comparable to claiming that 4.2 million of Europe's population (1.22%) is causing all of the problems.¹⁹ Data from January 2018 shows that 22.3 million people (4.4%) of the 512,4 million people living in the EU are non-EU citizens.²⁰ In 2017, EU Member States granted citizenship to 825,000 people;²¹ arguably a small number considering the number of entries against the benefits of their inclusion.²²

1.1. Homelessness and Migration

A recent report from FEANTSA revealed that homelessness is increasing across the EU at an alarming speed,²³ and many migrants are also in danger of becoming homeless with all the upheaval which that entails.²⁴ Homelessness can be linked directly to a long list of health problems: substance abuse, chronic wounds (including dental problems), psychiatric

¹⁷ The World Bank. Population, total- Lebanon. Available at:

<https://data.worldbank.org/indicator/SP.POP.TOTL?locations=LB> (accessed on 2020-02-29 at 11:22)

¹⁸ Amnesty International. Syria's refugee crisis in number. Available at:

<https://www.amnesty.org/en/latest/news/2016/02/syrias-refugee-crisis-in-numbers/> (accessed on 2020-03-01 at 09:42)

¹⁹ Gurminder K Bhambra (2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405

²⁰ Eurostat Statistics Explained (2019), Migration and migrant population statistics. Available at:

https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (accessed on 2020-03-03 at 15:40)

²¹ Eurostat Statistics Explained (2019), Migration and migrant population statistics. Available at:

https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics (accessed on 2020-03-03 at 15:40)

²² Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws. *European Journal of Social Work*. Available at:

<https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30); Gurminder K Bhambra

(2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405; Grigore Cristiana (2020), Closing the Gap Between Legal and Social Citizenship for Roma People, *Society for International Development*, Vol.63 Issue 1, 6-8;

Khosravi S (2010), An Ethnography of Migrant 'Illegality' in Sweden: Included Yet Excepted? *Journal of International Political Theory*. Available at:

<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.843.8235&rep=rep1&type=pdf> (accessed on 2020-04-01 at 12:47)

²³ FEANTSA (2017), Second Overview of Housing Exclusion in Europe. Available at:

<https://www.feantsa.org/en/press-release/2017/03/17/press-release?bcParent=27> (accessed on 2020-03-05 at 17:08)

²⁴ Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws. *European Journal of Social Work*. Available at:

<https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30); Gurminder K Bhambra

(2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405

disorders, and multimorbidity.²⁵ Homelessness triggers stress, which in turn manifests itself through physical and psychological illnesses. It is scientifically proven that cardiovascular diseases, high blood pressure, diabetes and a deteriorating metabolism can be the results of the stress that homelessness causes.²⁶ My case study focuses on Italy and Sweden because Italy is often the EU Country of arrival/entry and Sweden is often a chosen destination for migrants.

2. Aim and Research Questions

2.1. Aim

The thesis aims to map the intersection of homelessness and migration in Europe by studying the paths and experiences taken by migrants who are or have been homeless in Italy or Sweden. To reach this end, the overarching aim that guides this study is explore the links between homelessness and migration in Europe.

2.2. Research questions

Given the overarching aim, the following research questions will be answered:

1. *How have migrants experienced the immigration policies and practices in Italy and Sweden?*
2. *In what ways has homelessness affected the migrants?*
3. *How do migration and homelessness intersect in Italy and Sweden?*

Given these research questions, the purpose of this socio-legal study is, firstly, to investigate how laws and regulations address homelessness and migration in Italy and Sweden; secondly, to analyse the social reality as it is experienced by homeless migrants, who are directly affected by these laws and regulations. In doing so this thesis tells a different story that includes the legal as well as the social aspects of the everyday reality, which some of the most marginalised groups in society face.

²⁵ FEANTSA (2019-2020), Homeless in Europe. Health and Homelessness. Available at: [https://www.feantsa.org/public/user/Resources/magazine/2019/Winter/Homeless in Europe Winter 2019 - full.pdf](https://www.feantsa.org/public/user/Resources/magazine/2019/Winter/Homeless%20in%20Europe%20Winter%202019%20-%20full.pdf) (accessed on 2020-03-04 at 16:54), p.14

²⁶ Ibid, p.14

3. Methodology, Research Design, Terminology, Methods and Ethical Considerations

3.1. Methodology and Research Design

Eugen Ehrlich's 'Living Law', Roscoe Pound's 'Law in Action' and Leon Petrazycki's 'Intuitive Law' have all been instrumental in the development of Sociology of Law as a scientific discipline;²⁷ they all postulated discrepancies between law and its application, something which in Sociology of Law is referred to as 'the gap'. Research tells us that studies of 'the gap', designed to investigate such discrepancies between the normative dimension of law, statements of law, its principles and aims, and their empirically observable impact on society, have a long history. While accepting that 'the gap' between formal and informal laws is part of the modern legal reality and almost inevitable, socio-legal researchers embrace new perspectives²⁸ and new fields of investigation such as public policy measures and different aspects of the information society and globalisation.²⁹

Examining several instances of 'the gap', socio-legal research reasons that no less than four features outline how researchers ought to study this problem:³⁰

1. the understanding of law in its broad and narrow meaning
2. the idea that society is represented by important powers (conflict or consensus)
3. the ideological relationships between law and society
4. the methodological approach i.e. top-down or bottom-up and the methods they select i.e. qualitative, quantitative or mixed.

After studying the subject through the aforementioned relevant writings and after some consideration, taking into account the data accumulated during my fieldwork (field notes, interviews and photos), I have selected a bottom-up approach as a point of departure for the present qualitative study.³¹ Socio-legal research asks what the law claims and what happens in reality. My research will contribute to this body of knowledge with an analysis of the

²⁷ Banakar Reza (2019), On Socio-Legal Design. Lund University Research Portal. Available at: https://portal.research.lu.se/portal/files/65005127/10_aaaSocio_legal_methodology_v_10.pdf (accessed on 2020-02-27 at 11:10)

²⁸ Banakar Reza (2019), On Socio-Legal Design. Lund University Research Portal. Available at: https://portal.research.lu.se/portal/files/65005127/10_aaaSocio_legal_methodology_v_10.pdf (accessed on 2020-02-27 at 11:10)

²⁹ Banakar Reza (2015), Normativity in Legal Sociology. Methodological Reflections on Law and Regulation in Late Modernity, n.p.: Cham: Springer International Publishing: Imprint: Springer

³⁰ Ibid, p.53

³¹ Ibid, pp.51-52

empirical data I have gathered. My fieldwork included conversations with migrants and with many of the people who work with them. It is principally the experiences of the people who are dealing with the law in the broadest sense (immigration procedures to claim legal residency, access to housing and health care, to name a few), which make this paper a socio-legal study of migration and homelessness.

Methodologically speaking, this study takes a constructivist stance that is rooted in its qualitative bottom-up approach. While the positivist approach assumes a direct correspondence between concepts and reality through causality, constructivism does not assume such correspondence between prediction and explanation but rather a narrative of causal events (or factors) each contributing to the final outcome.³² This is reflected in how the study tries to understand the social reality it examines through participant observations at NGOs and homeless shelters and the narratives of those involved in these processes (migrants, professionals and case workers).

3.1.2. Terminology

Nomenclature and description are an essential part of methodology; their choice and use may represent an epistemological problem with ethical and political inferences and therefore have to be selected with great care.³³ A relevant example in the context of my thesis is the choice of words commonly used to refer to (undocumented) migrants in that the chosen words reveal the political stand taken on the matter by the user of those words. All measures and expressions pertaining to the legal status of a person ultimately turn out to have political significance, and therefore, I never use the word ‘illegal’ when referring to the immigration status of a migrant. To be precise the word ‘illegal’ opens the door to the narrative upheld by immigration law to the criminalisation of migration;³⁴ it also may wrongly label the migrant or the asylum seeker with a connotation of untrustworthiness.³⁵ Additionally, under international law no penalties should be imposed on refugees on account of their

³² Kratochwil F (2008) Constructivism: What Is (Not) and How It Matters, in Donatella Della Porta and Michael Keating (eds) *Approaches and Methodologies in the Social Sciences: A Pluralistic Perspective*. Cambridge University Press

³³ Said E (1989), Representing the Colonized: Anthropology’s Interlocutors, *Critical Inquiry*, 15(2): 205 – 225; De Genova N (2002), Migrant Illegality and Deportability in Everyday Life, *Annual Review of Anthropology*, 31(1): 419–447

³⁴ De Genova N (2002), Migrant Illegality and Deportability in Everyday Life, *Annual Review of Anthropology*, 31(1): 419–447

³⁵ Khosravi S (2010), An Ethnography of Migrant ‘Illegality’ in Sweden: Included Yet Excepted? *Journal of International Political Theory*. Available at: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.843.8235&rep=rep1&type=pdf> (accessed on 2020-04-01 at 12:47)

undocumented presence or entry.³⁶ In other words, migrants can cross a border ‘unauthorised’ without being ‘illegal’ when they crosses said border without permission in order to seek asylum.³⁷ Finally, I personally find the terms ‘illegal’ and ‘illegality’ objectionable and humiliating ways of describing the status quo of a person who has no control over it. Therefore, I will be using the term ‘undocumented’ when referring to migrants who entered and or live in a country without papers. As far as the term ‘homeless’ in this paper it refers to people who sleep outside, i.e. in parks or other public spaces. Finally, throughout the thesis I will use the terms ‘refugee’ and ‘asylum seeker’ interchangeably to refer to migrants who are forced to flee their countries of origin to seek help in Europe.

3.2. Methods of Data Collection

The thesis builds on qualitative research methods including participant observations and semi-structured interviews (*Appendix 1*) as its two main fieldwork research methods. In an attempt to explore how migrants interpret and experience immigration policies and practices (and homelessness) in Italy and Sweden and how these affect them, my data collection includes semi-structured interviews (and informal conversations) with migrants, with professionals, with case workers and with members of different NGOs working closely with various groups of migrants. Additionally, my participant observations, interviews and informal conversations were carried out in both Italy and Sweden as part of my fieldwork.

From my study of the subject I learned that migrant stories change over time for various reasons but mainly to maintain the security of the teller or, even more commonly, due to lack of trust.³⁸ Due to the constant threat of deportation, the frequent moves, the job insecurity and the likely periods in detention centres the life of undocumented migrants is unpredictable, erratic and unstable.³⁹ As well as practicing participant observations of their everyday

³⁶ Convention and Protocol Relating to the Status of Refugees (1951), The United Nations Refugees Agency. Available at:

<https://cms.emergency.unhcr.org/documents/11982/55726/Convention+relating+to+the+Status+of+Refugees+%28signed+28+July+1951%2C+entered+into+force+22+April+1954%29+189+UNTS+150+and+Protocol+relating+to+the+Status+of+Refugees+%28signed+31+January+1967%2C+entered+into+force+4+October+1967%29+606+UNTS+267/0bf3248a-cfa8-4a60-864d-65cdfce1d47> (accessed on 2020-04-08 at 16:35), Art.31

³⁷ Carling J (2007), Migration Control and Migrant Fatalities at the Spanish-African Borders. *The International Migration Review*, Vol. 41 No. 2, 316-343

³⁸ De Genova N (2002), Migrant Illegality and Deportability in Everyday Life, *Annual Review of Anthropology*, 31(1): 419–447; Khosravi S (2010), An Ethnography of Migrant ‘Illegality’ in Sweden: Included Yet Excepted? *Journal of International Political Theory*. Available at: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.843.8235&rep=rep1&type=pdf> (accessed on 2020-04-01 at 12:47)

³⁹ De Genova N (2002), Migrant Illegality and Deportability in Everyday Life, *Annual Review of Anthropology*, 31(1): 419–447

activities, I used interviews as a way to acquire a deeper understanding. Having given a clear context to the migrant everyday experience with ‘illegality’ has helped me to acquire a better understanding of the idea of access to social justice from the perspective of a migrant.⁴⁰

3.2.1. Fieldwork: Participant Observations or Ethnography

First I want to describe how I gained access to the field and to the people I have interviewed. During the winter of 2018/19, I acted as a volunteer at a homeless shelter in Malmö; one of the members of staff gave me an Italian researcher’s contact at Bologna University. It was through this researcher that I eventually encountered a case worker who had been working in a reception centre for minors in Bologna. The same researcher also mentioned an NGO in the area that had been involved with helping migrants and I thought I should try to get in contact with them. Through the ‘snowball method’ I was in this way expanding my contacts in both Italy and Sweden.

Even though my initial two contacts were in Bologna I decided to stay a few kilometres outside the city of Reggio nell’Emilia (hereafter cited as Reggio) because I wanted to get in touch with this NGO involved with the rescue of migrants crossing the Mediterranean Sea in precarious condition. The owners of my accommodation were actively involved with various NGOs in Reggio and were able to introduce me to a local network where migrants could meet and socialise as well as obtaining accommodation, healthcare, help to find work and legal advice. In Sweden, while volunteering at the homeless shelter I met various professionals who were supporting migrants by helping them to find accommodation, healthcare and work. It was heart-warming to find that some people were at the shelter just to provide a smile, a moment of homeliness in an ‘everyday’ of homelessness. It was through my personal connection that I was able to meet the migrants interviewed in Sweden.

I define my fieldwork as participant observation, not ethnography; the two are not easy to distinguish as both entail spending substantial time observing behaviours, asking questions and taking notes within a specific group or social setting.⁴¹ Both ‘participant observers’ and ethnographers gather their data in the form of interviews, videos and photos for instance. In my fieldwork I did all these activities. However, I take the view that ethnography is more intense and requires more time, and it is more than just a method of data collection.⁴²

⁴⁰ Marcus G and Fischer M M J (1991), Anthropology as Cultural Critique: Inserts for the 1990s Cultural Studies of Science, Visual-Virtual Realities, and Post-Trauma Politics. *Cultural Anthropology*, Vol.6 Issue 4., 525-537

⁴¹ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK

⁴² Ibid

Crucially, what qualifies my method of data collection as ‘participant observation’ rather than ethnography is the length of time that I spent collecting data.⁴³ As some research argues “*initial luck in meeting good informants, being in the right place at the right time and striking the right note in relationships may be just as important as skill in technique.*”⁴⁴ Both in Italy and Sweden I was blessed with luck when I acquired my first contacts and I met my first informants, I was perhaps in the right place at the right time and I managed to create friendly relationships as I was learning this data collection technique.

3.2.2. Fieldwork: Italy and Sweden

In Italy, I conducted my fieldwork in August 2019 in the cities of Bologna and Reggio, in Emilia Romagna (hereafter cited as Emilia); I then spent one week in Cuneo, Piedmont (*Table 1*). These regions are both very industrialised and rich, however, Emilia is progressive and has been a stronghold of Italy’s Social Democratic Party for a long time. Piedmont is conservative and has a strong presence of ‘La Lega’, Salvini’s right-wing populist political party which has recently gained huge support in Italy by advocating restrictive migration policies and by construing migrants as potential criminals.⁴⁵ When I visited the weekly local markets stalls in Reggio and Cuneo, these differences were remarkably visible. The former was more heterogeneous with many migrants both shopping and running stalls, while the latter was more homogeneous with mostly Italians shopping and running stalls (*Table 3*).

In Emilia I interviewed 21 people, I participated and observed case workers’ group meetings as well as NGOs’ environments where homeless migrants could find support and shelter. I was also able to visit three apartments run by an Emergency Reception Centre (*Centro di Accoglienza Straordinaria*, hereafter cited as CAS) where six refugees lived. These three apartments were sparsely decorated but had new appliances, decent flooring and good insulation from the outside. Some of the interviews in Reggio were conducted at a former railway station that had been converted into a bicycle shop. The shop was run by an NGO supporting homeless people. During my week in Piedmont, I interviewed six people as well as participating in and observing a case workers’ meeting where I interviewed the coordinators of two Protection System for Beneficiaries of International Protection and for Unaccompanied Foreign Minors (*Sistema di Protezione per titolari di protezione Internazionale e per Minori*

⁴³ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK

⁴⁴ Ibid, p.431

⁴⁵ In English: ‘The League’ (formerly known as ‘La Lega Nord’ (The Northern League); for a journalistic discussion on La Lega’s characterisation of migrants see : <http://www.leccotoday.it/cronaca/migranti-lecco.html> (accessed on 2020-05-30 at 10:00) (in Italian)

stranieri non accompagnati, hereafter cited as SIPROIMI) (Table 1). The meeting included case workers and coordinators from eight different cooperatives running similar reception centres in the area with a capacity of 250 places in total. In Cuneo I was also able to interview a teacher providing Italian language lessons to migrants.

In Sweden, the time spent during the 2018/19 winter volunteering at the homeless shelter for adults provided me with some welcome background information. Furthermore, between December 2019 and March 2020, I conducted 50 hours of participant observations during 10 visits to the same shelter; there I was able to talk to staff and interact with the visitors. During the same period, I also paid four visits (three hours each) to a different NGO which supports young homeless people between the age of 18 and 25; there I had several informal conversations with both staff and visitors. While most of the visitors at the shelter for adults were Romani people from Romania, almost all the visitors at the shelter for young people were Afghans. Between the end of January and the middle of March 2020 I conducted eight more interviews of which five were with field professionals and three with Syrian refugees (Table 2).

Table 1 – Semi structured interviews in Italy (August 2019)

Place of interview	Interviewees	Length of recordings
Bologna – Piazza Maggiore	2 African migrants	No audio – circa 60 minutes interview notes taken
Bologna – Place of work	1 Student	29 minutes 19 seconds
Reggio – NGO	3 Activists (1 sociologist; 1 teacher; 1 geologist)	1 hours 27 minutes 8seconds
Reggio - NGO	1 African migrant	25 minutes 23 seconds
Bologna – City centre bar	1 caseworker SPRAR for minors	30 minutes 1 second
Reggio - NGO	1 nurse	29 minutes 40 seconds
Reggio - NGO	1 African migrant	19 minutes 52 seconds
Reggio – SPRAR centre	2 coordinators	No audio circa 60 minutes interview notes taken
Reggio – NGO	1 nurse	56 minutes 09 seconds
Reggio -NGO	1 migrant from Pakistan/Libya	2 hours 16 minutes 13 seconds
Reggio – city centre	1 caseworker SPRAR minors	51 minutes 31 seconds
Reggio – CAS centre	2 coordinators & 5 caseworkers	1 hours 8 minutes 54 seconds

Reggio – city centre	1 nurse (substance abuse)	No audio circa 60 minutes interview notes taken
Reggio – city centre	1 NGO coordinator	25 minutes 42 seconds
Cuneo - NGO	2 coordinators	1 hour 28 minutes 11 seconds
Cuneo – city centre	1 teacher	1 hour 24 minutes 37 seconds

Table 2 – Semi structured interviews in Sweden (January-March 2020)

Place of interview	Interviewees	Length of recordings
Malmö	1 Social Worker-Red Cross	40 minutes 46 seconds
Malmö	1 Refugee	40 minutes 32 seconds
Malmö	2 Refugees	51 minutes 38 seconds
Malmö	1 Church Employee	26 minutes 22 seconds
Malmö	1 Stadsmissionen Project Leader	46 minutes 04 seconds
Malmö	1 Psychologist NGO	42 minutes 20 seconds
Malmö	1 Project Coordinator NGO	35 minutes 13 seconds
Malmö	Homeless shelter	50 hours participant observation
Malmö	Homeless shelter (young)	12 hours participant observation

Table 3 – Fieldnotes and photos in Italy

Place	Type of Data	Quantity
Reggio – NGO Apartment	Photos	27
Reggio – NGO Market Stalls	Photos	5
Reggio – Market Stalls	Fieldnotes	5 pages written notes
Cuneo – Market Stalls	Fieldnotes	2 pages written notes

3.2.3. Data Analysis

To analyse the data I used a qualitative content analysis approach.⁴⁶ This approach entails a search for themes with theoretical significance within the data. This objective is met using coding procedures by which data are broken down into smaller parts, which are then processed and put back together in line with theoretically significant groupings.⁴⁷ The analysis in this study consists of a close examination of the notes from the interviews and participant observations and of written notes and photos taken during my fieldwork in both countries.

⁴⁶ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK

⁴⁷ Ibid, pp.557-579

Through this analysis I recognised persisting themes which could be construed via the notions of the theoretical framework.⁴⁸

3.2.4. Sampling the Data

For this study I gathered more data that I needed in order to address the themes that emerged from it. I spent four weeks collecting data in Italy and approximately eight weeks collecting data in Sweden. However, to select the core data sample, to which I applied my method of analysis, I examined the empirical data multiple times in search of the most analytically significant themes. I frequently went back and forth between my research questions and the empirical data thus developing my study iteratively.⁴⁹ It was through this examination of the data that I realised I had sufficient material to address my research questions without needing to use all of the empirical material collected. In essence I engaged in what is known as *purposive sampling*, which allowed me to select the data for analysis based on criteria that helped answering the research questions.⁵⁰ The Master Thesis's word limit also impinged on the empirical data that I could include in this paper. However, I hope to use the remaining data in the future to develop this study further. The themes that kept emerging in the analysis could be broadly divided into three categories:

1. lack of access to housing
2. lack of access to all aspects of healthcare
3. substance abuse (which is often resulting from 1. and 2.)

The core sample to which I applied the thematic content analysis is:

For Italy – interviews with two caseworkers, one nurse, three migrants, the head of an NGO supporting homeless people, two coordinators from two reception centres, one teacher and observations and photos at four apartments occupied by migrants.

For Sweden – interviews with the head of an NGO supporting young homeless people, the head of a program helping young homeless people from another NGO, one person from the Swedish Church, one person from the Swedish Red Cross, one person from Malmö Stadsmissionen, one Syrian refugee and 50 hours of participant observations in a homeless shelter.

⁴⁸ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK

⁴⁹ O'Reilly, K. (2009), *Key Concepts in Ethnography*. London: Sage

⁵⁰ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK, p.418

3.2.5. Reliability and Validity

Reliability is concerned with whether the results of a study are replicable, in other words with consistency of measures.⁵¹ The concept of *Reliability* has at least three different meanings:⁵²

1. *Stability*, which consists in administering a measure or test to the same sample on different occasions to see how stable the variation is over time
2. *Internal Reliability*, which consists in determining the relationship between multiple-item measures to make sure that they are related
3. *Inter-Observer-Consistency*, which is relevant when recording observations and translation of data into categories includes more than one observer meaning that a great deal of subjective judgment is involved in these activities and it is plausible that there may be a lack of consistency in the observers' decisions.⁵³

Taken this way the concept of *Reliability* is arguably not relevant to a qualitative study; however, one may also argue that a certain degree of consistency ought to be present. Therefore, in qualitative research, the essence of *reliability* lies with *consistency* where a margin of variability for results is accepted if the methodology and epistemological aspects consistently produce data that are ontologically similar but may differ in richness and ambience in similar contexts.⁵⁴

In this study, I am interested in how my research participants experience their day-to-day reality dealing with migration policies and practices and what effect these have on them; it is the meanings they ascribe to their experience that are crucial to my thesis. I want to say something about the intersection of homelessness and migration in Europe by focusing on specific groups in localised contexts (Italy & Sweden); generalising my finding may therefore not be possible from a quantitative point of view. However, through the use of systematic sampling and constant comparison, proper audit and documentation, and multi-dimensional theory generalisability also becomes pertinent in qualitative research.⁵⁵

Arguably more relevant to my qualitative approach is the concept of *Validity*, which is concerned with the integrity of the conclusion generated by the study, in other words, whether

⁵¹ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK, p.168

⁵² Ibid, p.169

⁵³ Ibid, p.169

⁵⁴ Lawrence Leung (2015), Validity, reliability and generalizability in qualitative research. *Family Medicine Prime Care*, Vol 4, 324-327

⁵⁵ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK

I am measuring what I set out to measure. *Validity* can be further broken down into four main types:⁵⁶

1. *Measurement Validity* (also referred as *Construct Validity*) is concerned with whether a measure that is developed for a concept actually replicates the concept that it intends to express i.e. does an IQ test actually measure variation in intelligence?
2. *Internal Validity* is mainly concerned with the problem of causality i.e. if we suggest that *x* causes *y*, are we sure that it is in fact *x* that is causing a variation in *y* and not something else?⁵⁷
3. *External Validity* is concerned with whether the results of a study can be generalised beyond the particular research context i.e. can the experiences of the research participants in my case study be used to generalise about the experiences of other migrants in different contexts? (I would argue that this is not central to my thesis)
4. *Ecological validity* is concerned with whether social scientific findings can be applied to people's daily and natural social settings i.e. are we able to obtain everyday life conditions, opinions, values, attitudes, and knowledge of the people we study as they are voiced in their natural environment.⁵⁸

Arguably the concepts of *Reliability* and *Validity* are more relevant for quantitative research; after all, both *reliability* and *measurement validity* are concerned with the adequacy of measures. *Internal validity* is concerned with how well findings identify causal relationships and *external validity* is concerned with the subjects' representativeness, which are both much more relevant to the sphere of quantitative research and its focus on sampling procedures.⁵⁹ However, *ecological validity* concerns the naturalness of the research method and is arguably pertinent to both quantitative and qualitative research.⁶⁰ Some have argued that the concepts of *reliability* and *validity* can be applied also to qualitative research while others contend that the grounding of these concepts in quantitative research renders them inapplicable to qualitative research.⁶¹ Furthermore, others have argued for the use of *trustworthiness* as a

⁵⁶ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK, p.47

⁵⁷ Ibid, p.47

⁵⁸ Ibid, p.48

⁵⁹ Ibid, p.48

⁶⁰ Ibid, p.48

⁶¹ Ibid, p.48

criterion to assess qualitative research where different aspects of it can be used as an equivalent to each quantitative criterium:⁶²

1. *Credibility* would be equivalent to *internal validity* - that is, how credible are the findings?
2. *Transferability* would be equivalent to external validity - that is, do the results apply in other contexts?
3. *Dependability* would be equivalent to reliability - that is, are the findings likely to apply at other times?
4. *Confirmability* would be equivalent to objectivity - that is, to what extent do the researcher's values interfere?

Moreover, in qualitative research the concept of *validity* implies *appropriateness* of the instruments, the procedures and the data, whether the research question is valid for the anticipated result, whether the methodology is suitable for answering the research question, whether the design is valid for the methodology, whether the sampling and data analysis is proper and, finally, whether the results and conclusions are valid for the sample and the context.⁶³ In evaluating *validity* of qualitative research, the task can begin from the ontological and epistemological stance of the approach (for example social constructivism) to study a certain problem.⁶⁴ While validity is important for the reasons just mentioned, others have argued that *relevance* may also be a relevant criterion in assessing the importance of a topic within its field or the contribution it makes to its literature.⁶⁵

The central point of these various views is to caution that the researcher's claims might be idiosyncratic to their qualitative research.⁶⁶ Of the various types of *validity* cited, *ecological validity* is perhaps the one that applies best to qualitative research because of its naturalistic approach, where the researcher tries to collect data in naturally occurring situations and environments rather than in lab-based scenarios.⁶⁷ This was the case for my study the data for which were collected in the environments where the research participants either worked or sought support. For example, in Italy, I conducted most of the interviews at the same NGO

⁶² Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK, p.49

⁶³ Lawrence Leung (2015), Validity, reliability and generalizability in qualitative research. *Family Medicine Prime Care*, Vol 4, 324-327

⁶⁴ Ibid

⁶⁵ Bryman Alan (2012), *Socio Research Methods (4th ed)*. Oxford University Press. Oxford, UK, p.49

⁶⁶ Ibid, pp.49-50

⁶⁷ Ibid, p.50

where I also carried out participant observations; I attended coordinators meetings at the actual centres (CAS & SIPROIMI) where case workers worked. In Sweden, I conducted participant observation at a homeless shelter and all the interviews with professionals and NGO operators were carried out at their workplace. To sum up, I believe that my study meets the criteria for *ecological validity* for the reasons just cited and that it has a high degree of *consistency* (hence *reliability*) because for the two cases studied (Italy and Sweden) the methodology is consistent and the data produced are similar but with marginally different results.

3.3. Ethical considerations

Because I conducted research involving people I considered the following ethical considerations. I tried to be open and honest about my research at all times. I obtained my interviewees' informed consent, maintained their anonymity and protected their confidentiality.⁶⁸ For example, before starting an interview I would always explain the aims and methods of my study, how I would proceed with the interview and I would ask the participant to sign an informed consent form (*Appendix 2*) wherein the subjects could find contact details for my supervisor and myself. I had recognised earlier on that it was my responsibility to make sure that the data collected were not misused and therefore I decided to follow the Swedish Research Council's ethical guidelines.⁶⁹ I kept all the data stored in a USB device that is locked in my apartment and to which I am the only person to have access. Finally, the research participants that I have mentioned in the analysis have been given random pseudonyms in order to guarantee their anonymity whilst keeping the flow of a stylistically pleasing text.

3.3.1. Reflections of the researcher

Reflexivity is the researcher's ongoing analysis and critical reflection of their own biases and assumptions and how these influence all the steps of the research process;⁷⁰ reflexivity is important because each researcher inevitably brings their world view with them (in Bourdieu's terms their habitus and how this influences their outlook on a certain field).⁷¹ The researcher keeps evaluating their ideas, intuitions, they identify meanings and connects them,

⁶⁸ O'Reilly, K (2009), *Key Concepts In Ethnography*, n.p.: Los Angeles; London: SAGE, 2009

⁶⁹ CODEX (2020), *Rules & Guidelines for Research the Humanities and Social Sciences*. Available at: <http://www.codex.vr.se/en/forskninghumsam.shtml> (accessed on 2020-02-03 at 15:04)

⁷⁰ When referring to a third person, I will use the pronouns they, them, their, theirs and themselves to avoid the gender binary he/she thus including people who do not self-identify as either male or female

⁷¹ Wacquant L J D (1989), *Towards a Reflexive Sociology: A Workshop with Pierre Bourdieu*. *Sociological Theory*. 7(1):26-63

whenever possible, to selected contexts and experiences throughout the research process. However, this is not enough and good reflexivity rests on the examination of the ‘epistemological unconscious’ and the ‘social organisation’ of the discipline (or field) of Sociology of Law.⁷² Reflexivity looks at the power-structures within the academia and asks the academic investigators to reflect upon their investment toward their academic field whilst investigating the world. For instance, in terms of positionality, in which way are they academic investigators? What does their positionality mean to the investigation? What is their background? Do they have an emotional relationship with those they investigate, and if so, how deep is it?⁷³

Reflexivity describes the researcher’s ability to acquire self-knowledge through self-dialogue. This same ability is what allows the researcher to ponder on personal circumstances, to imagine themselves as both object and subject and to plan the research accordingly.⁷⁴ In my case being a Western European white migrant puts me in a position of some privilege, a position that is substantially different from that of a refugee, an asylum seeker or racialised Eastern European economic migrants such as the Romani people. How do I understand their situations and experiences from my position?

Modern societies and the conditions under which its members act, change faster than it takes for habits and routines to consolidate.⁷⁵ Therefore privileged ‘tribes’ made up of those who have “*access to economic as well as cultural resources*”⁷⁶ and underclasses “*who feel socio-economically vulnerable and culturally defenceless*”⁷⁷ are at odds with each other.

Throughout the research process, I remained self-aware of my background, of my positionality, that of my research participants and how the power relations between us defined our relationships and my research. I empathise with their situation of marginality but by taking into consideration all the peculiarities created by our different positionalities (i.e. I the researcher, them the research participants; I the white Western European Citizen, them the migrant ‘others’) and by considering how our relationships are defined by complex power relations (including age, gender, ethnicity, sexuality, religion, social class, status and ability,

⁷² Wacquant L J D (1989), Towards a Reflexive Sociology: A Workshop with Pierre Bourdieu. *Sociological Theory*. 7(1):26-63

⁷³ Bourdieu P (2010) Sociologists of Belief and Beliefs of Sociologists. *Nordic Journal of Religion and Society* 23(1): 1-7

⁷⁴ Banakar Reza (2015), *Normativity in Legal Sociology. Methodological Reflections on Law and Regulation in Late Modernity*. Springer International Publishing. Chapter 13

⁷⁵ Ibid

⁷⁶ Ibid, p.273

⁷⁷ Ibid, p.273

to name a few), I believe that I was able to maintain an ‘epistemological distance’ between us, thus ensuring that my research is as objective as it can possibly be considering its constructivist approach.

3.3.2. Study Delimitations

This study has several ‘delimitations’ that are mostly linked to the constraints of a Master’s Thesis and to the study being a multiple case study. The explanatory questions that I attempt to answer with my research deal with operational links that ought to be traced over time.⁷⁸ The entire study endeavours to clarify the intersection of migration and homelessness in Europe by using just Sweden and Italy as its case studies, thus giving only a limited window on the problem. However, the two countries are particularly good choices for different reasons. Italy is relevant because for many refugees it is the entry point to Europe, while Sweden remains the chosen destination for many of them. Many Romani people from Eastern Europe travel to both countries to work (mostly for seasonal work in Italy, and mostly for begging and collecting refundable plastic bottles in Sweden) and end up homeless in either country. However, it would be impossible to give a complete picture of the situation in one study.⁷⁹ Furthermore, it is inevitable that the researchers will unwittingly introduce their subjectivity into the study in spite of efforts to avoid this. Another delimitation was the means of communication between the research participants and me; communication between non-native speakers is bound to lose something qualitatively. Despite being fluent, English is not my first language nor was it the first language for many of my interviewees in Sweden. In Italy, I was able to interview in my first language but Italian was not the first language for some of those I interviewed. However, I think it should be acknowledged that despite the delimitations of this thesis, the evidence coming from a multiple case study is more robust and more compelling than that from a single case study.⁸⁰

Because this is a multiple case study which uses participant observations and semi-structured interviews as its main methods of data collection, the possibility for generalisation of its findings is limited. Moreover, the concepts of *reliability* and *validity*, as discussed above, ought to be considered not in a strictly quantitative way but within the qualitative research design of the study. The ultimate purpose of this study is to say something about the

⁷⁸ Yin R K (2009), *Case Study Research Design and Methods*. Sage Publications (4th edition)

⁷⁹ Ibid

⁸⁰ Ibid

intersection of migration and homelessness in Europe by examining the experiences of those affected by both, not finding causal relationships and replicability.

4. Theoretical perspectives

4.1. Intersectionality

Intersectionality is pertinent to my study because it contextualises how the different dimensions of power relations such as age, gender, race, sexuality, class, and disability, which define a person's social position, can combine to create unique modes of discrimination within society's complex network of power structures. In this way, intersectionality finds combinations of injustices faced by members of society.⁸¹ It is a qualitative analytical framework that identifies how interlocking systems of power affect those who are most marginalised in society, and how overlapping categories of identity affect individuals and institutions and consider these relationships when working to promote social and political equality.⁸² For instance, a black woman could face discrimination from a company that is not specifically due to her race because the company does not discriminate against black people, nor her gender because the company does not discriminate against women, but by the unique combination of being black and a woman. A somewhat similar form of discrimination is experienced by some of the Romani women I encountered during my fieldwork in Sweden, who are discriminated against not because they are women, or Romani, or migrants, but by the unique combination of these characteristics. This is also true for some of the young Afghani men I encountered in my fieldwork who are discriminated against not just because of their ethnicity but also because they are young Muslim men. In Europe, young Muslim men are often construed as potential criminals, rapists or drug dealers.⁸³

For my study, I have chosen two theoretical perspectives which I believe complement each other well. While Intersectionality shows how different dimensions of power relations are interrelated and how they intersect and overlap, the other theoretical perspective, Scales of Justice, goes beyond the systems of power relation through its principles of Recognition and Redistribution.

⁸¹ Carastathis Anna (2016), *Intersectionality Origin, Contestations, Horizons*. University of Nebraska Press, Lincoln & London

⁸² Ibid

⁸³ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK.

4.2. Scales of Justice

Scales of Justice recognises the importance of redistributing material resources and is the reason why it links well with the issue of homelessness. The emphasis of Scales of Justice is not so much on race and gender but more on social class differences, which is where Intersectionality and Scales of Justice meet. Intersectionality also considers social class differences, as only by recognising the material inequality that some minorities face can society arguably better redistribute resources. The intersection between migration and homelessness is increasing in Europe. However, it is not just citizenship and migration statuses intersecting with the problem of homelessness. The issue becomes even more complex when we find that gender, race and socio-economic status all intersect with homelessness. The Romani people and refugees that I encountered in my fieldwork are examples of these complex interactions. Romani women for example are discriminated against not just because of their gender, but also because they are poor eastern European migrants of Romani ethnicity. These migrants are marginalised not just because they migrate, but also because of the sum of other socio-political characteristics that make them who they are.

Additionally, Scales of Justice defines justice beyond the borders of Italy and Sweden. The word ‘scales’ suggests two images:⁸⁴

1. the first image is the simple idea of Moral Justice where an impartial judge weighs the merits of conflicting interests
2. the second image is akin to the idea that Justice, once scaled up, becomes a very far-reaching tool with global implications for ever-shifting populations that would be better defined by their background characteristics than by geographical borders. It refers to the notion that transnational social movements now fight justice conflicts that were once situated within national contexts.⁸⁵

The issue of impartiality is present in every context of power asymmetry where marginalised people seek justice knowing that the odds are against them. Moreover, while in the 20th century social justice sought redistribution and thus was shared, in the 21st century there are competing interests that are class-based on the one hand and minority-based on the other.⁸⁶

⁸⁴ Fraser Nancy (2008), *Scales of Justice Reimagining Political Space in a Globalizing World*. Polity Press, Cambridge UK

⁸⁵ Ibid

⁸⁶ Ibid

These competing interests do intersect in social justice; for example, feminists demand gender justice by asking for women's emancipation and their freedom, but at the same time a group of clergymen's demand for justice involves maintaining the old traditional hierarchy which sees women being 'rightfully' subjugated by men. These struggles present a pivotal challenge to the idea of moral balance suggested in the first image.⁸⁷ How can these competing interests be impartially settled? Furthermore, Scales of Justice is important for my study because it expands the idea of justice beyond the frame of the formalities of the legal system; it goes beyond the mere recognition of rights. Redistributing material resources also means broadening the scope of justice to include access to those rights, access to the welfare system. More specifically, this means access to housing, access to the labour market, access to healthcare and to all the public services that we are used to taking for granted.

Scales of Justice goes beyond the scope of International Law (for example the European Convention on Human Rights and the Universal Declaration of Human Rights) by advocating access to these rights through redistributing resources. Both of these Statutes have provisions promoting access to education,⁸⁸ access to social security⁸⁹ and employment⁹⁰ (to name three) but fall short of providing actual access to them. Western Liberal Law (for example Migration Law and Refugee Law) can recognise different dimensions of power relations such as gender, sexual orientation, ethnicity, religion and social class (the socio-economic background and position of individuals and groups). However, international law cannot specify how exactly nation-states must act to protect individuals and groups who are disadvantaged within power relations. Instead, it is often the national regulation through welfare law (at least in the European context) that provides protection not only through the *recognition* of these dimensions of power relations but also through the *redistribution* of resources in order to counteract disadvantages and inequalities. This is where Scales of Justice goes beyond the many provisions of International Law that recognise rights (but do not grant access to them) and why the conceptual framework of my thesis needs it to support Intersectionality.

⁸⁷ Fraser Nancy (2008), *Scales of Justice Reimagining Political Space in a Globalizing World*. Polity Press, Cambridge UK

⁸⁸ European Convention on Human Rights (1950), European Court of Human Rights. Available at: <https://www.echr.coe.int/Pages/home.aspx?p=basictexts> (accessed on 2020-05-27 at 11:35), Protocol Art.2, p.34

⁸⁹ Universal Declaration of Human Rights (1948), United Nations Human Rights Office of the High Commissioner. Available at: <https://www.ohchr.org/EN/UDHR/Pages/UDHRIndex.aspx> (accessed on 2020-05-27 at 11.42), Art.22, p.75

⁹⁰ Ibid, Art.23, p.75

Moreover, included in Fraser's framework as she presents it in her book *Scales of Justice*,⁹¹ the concepts of Recognition and Redistribution resonate with those minorities who have no access to these rights. In this sense, Recognition claims to abolish status differences between individuals and groups in a society which understands and values pluralism; Redistribution then demands to better share the wealth that has been accumulated by just a few people. These two concepts are crucial for my study because when we think about access to rights (the Welfare System), we should not just think about who gets what (and why) but also about who decides what people need (and why).⁹² Applying these concepts to the Romani people migrating through Europe, or the young black men from Muslim majority countries who find themselves undocumented when their residence permits have expired will contribute to Intersectionality and help to answer my research questions.

5. Literature review

5.1. Europe's refugee crisis and post colonialism

The term 'refugee crisis' refers to the EU's struggle to cope with the migration of people fleeing wars and persecution in Syria, Afghanistan, Libya, Iraq, Eritrea, sub-Saharan Africa and other regions.⁹³ Of course, some argue that the word 'crisis' is misused in this context and it would rather be more appropriate to describe the misery and the suffering of all those who must run for their lives.⁹⁴ The EU has legal obligations under the Universal Declaration of Human Rights and the European Convention on Human Rights to help people who are fleeing wars, persecutions and violence.⁹⁵ Under these treaties, people have rights to social security, work, equal pay, housing, healthcare and education.⁹⁶ Despite these treaties and the

⁹¹ Fraser Nancy (2008), *Scales of Justice Reimagining Political Space in a Globalizing World*. Polity Press, Cambridge UK, pp.100-115

⁹² Ibid, pp.100-115

⁹³ Gurminder K Bhambra (2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405; Petrache A M (2019), MAKING THE MOST OF THE EU INTERNAL MOBILITY - ROMANIAN CITIZENS' MIGRATION TO THE UK IN THE CONTEXT OF BREXIT, A RACE AGAINST TIME. *Europolity*, Vol. 13 Issue 2, 215-240; see also UNHCR (2016), Global Trends - Forced Displacement in 2015. Available at: <https://s3.amazonaws.com/unhcrshare.dmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf> (accessed on 2020-05-27 at 19:08)

⁹⁴ Gurminder K Bhambra (2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405

⁹⁵ Ibid

⁹⁶ Universal Declaration of Human Rights (Paris, 1948) United Nations. Available at: https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf (accessed on 2020-02-04 at 09:46). Articles 22-26; see also European Convention on Human Rights (Rome, 1950), European Court of Human Rights and European Council. Available at: https://www.echr.coe.int/Documents/Convention_ENG.pdf (accessed on

commitment to uphold human rights, many commentators underline the financial and social burdens placed upon the EU by the new arrivals.⁹⁷

However, some commentators argue that if there is an EU crisis it is a moral one, stemming from the EU's inability to measure up against the principles that underpin democracy and the rule of law.⁹⁸ The paucity of the EU response to the hardship endured by undocumented migrants is explained in the literature by the accepted understanding of the principle of the legitimacy of exclusionary belonging; this allows distinction between citizens and migrants which in turn ultimately determines who belongs and who doesn't, who has rights and who doesn't.⁹⁹ Some research argues that this distinction stems from an historical understanding of the EU and its Member States that fails to include a broader historical understanding that several of those states were once empires which had much larger constituencies than those defined by their current national borders.¹⁰⁰ If we were to enlarge the idea of the State and its correlated political society to be consistent with the former imperial borders, we would arguably change the way we perceive and treat these migrants.¹⁰¹

Some research inappropriately labels the presence of postcolonial immigrant societies as multiculturalism;¹⁰² this view takes away the historical connections that exist between the undocumented migrants, Europe and the former empires and colonies.¹⁰³ Neglecting Europe's colonial past is what allows us to ignore the postcolonial multiculturalism of present-day Europe and its associated populations. Some politicians' narratives depicting young Muslim men as dangerous and antisocial fuel this division which was recognised in the US in the 1970s.¹⁰⁴

2020-02-04 at 09:57). Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 Right to Education

⁹⁷ For a journalistic discussion about migrants and national resources see: <https://www.theatlantic.com/international/archive/2016/02/welfare-state-refugees-europe/463272/> (accessed on 2020-05-28 at 11:23)

⁹⁸ Gurminder K Bhambra (2017), The current crisis of Europe: Refugees, colonialism, and the limit of cosmopolitanism. *European Law Journal*, 23: 395-405

⁹⁹ Ibid

¹⁰⁰ Ibid

¹⁰¹ Ibid

¹⁰² Habermas J, *Europe: The Faltering Project* (Polity, 2009), p.65

¹⁰³ Mayblin L, *Asylum after Empire: Colonial Legacies in the Politics of Asylum Seeking* (Routledge, 2017)

¹⁰⁴ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK.

African American feminist scholars realised that there were intersecting dimensions of power relations which involved race, class, gender and sexuality.¹⁰⁵ These critical scholars argued that inequality stemmed from political choices and was not a natural development, which in turn helps us to understand why some migrants are discriminated against for their nationality, gender, race, sexuality, socio-economic status and religion.¹⁰⁶ Many of the migrants who are trying to reach Europe today are from countries such as Afghanistan that were once European colonies.¹⁰⁷ What is different between the people who can enter the EU and those who cannot lies within Europe's colonial history, which leads to distinctions between 'the West and the Rest'.¹⁰⁸

5.2. Homelessness and Migration in Sweden

In recent years, Sweden's political landscape has shifted from the left to the right and the number of political parties has risen from five to eight.¹⁰⁹ This shift has had an impact on Sweden's migration policies and practices which has resulted in cuts to the welfare system. These cuts, in turn, have resulted in 'social death' for some migrants.¹¹⁰ Many of the migrants who arrived between 2014 and 2016 as unaccompanied minors have now become homeless because of rejections from the Migration Agency and the Social Services; they experience difficult living conditions, very little opportunity for agency and almost no hope for the future.¹¹¹ Some of them have 're-escaped' to another EU country hoping to find acceptance, dignity, agency and asylum.¹¹² While such a move might have led to short-term relief for some, many others became trapped in a state of permanent precariousness characterised by homelessness, health issues and substance abuse. Therefore access to 'social' justice and the idea of sharing societal burdens and benefits more equally becomes significant in this context. Note that this part of my research is particularly important because while there is research on

¹⁰⁵ Harris P.A. (2013), *Critical Race Theory*, in Reza Banakar and Max Travers, *Law and Social Theory* (2nd ed). Hart Publishing.

¹⁰⁶ Ibid

¹⁰⁷ From 1838 until 1919, Afghanistan was controlled by the British Empire. See Hopkins B.D. (2008), *The Making of Modern Afghanistan*. Palgrave Macmillan, UK. Available at: [http://library.mibckerala.org/lms_frame/eBook/Criticism/%5BBen Hopkins%5D The Makings of Modern Afghanistan \(CBookFi.org\).pdf](http://library.mibckerala.org/lms_frame/eBook/Criticism/%5BBen%20Hopkins%5D%20The%20Makings%20of%20Modern%20Afghanistan%20(CBookFi.org).pdf) (accessed on 2020-04-08 at 19:17)

¹⁰⁸ Darian-Smith E (2013), *Postcolonial Theories of Law*, in Reza Banakar and Max Travers, *Law and Social Theory* (2nd ed). Hart Publishing

¹⁰⁹ Elgenius Gabriella and Wennerhag Magnus (2018), The changing political landscape in Sweden: Political cleavages, actors and processes. *Sociologisk Forskning*, 55 (2-3), 121-138

¹¹⁰ Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

¹¹¹ Ibid

¹¹² Ibid

unaccompanied children in Sweden,¹¹³ there is little research about their experiences when they become adults (and in some cases undocumented migrants).¹¹⁴

Some politicians have linked the apparent collapse of the asylum system to the number of new arrivals and have legislated in a way that has almost entirely taken away opportunities for permanent residency and family reunifications.¹¹⁵ Measures such as the closure of borders, internal controls, medical age assessments and the expansion of detention centres have recently come to influence Sweden's asylum system.¹¹⁶ Unfortunately these measures go hand-in-hand with a public vilification of migrants that depicts them as a threat to society thanks to the rhetoric of some politicians and parts of the Media.¹¹⁷ This is in effect a step-by-step criminalisation that has serious consequences for many migrants because it influences how they are treated by the authorities;¹¹⁸ of the 163,000 who applied for asylum in 2015, 35,000 were registered as unaccompanied minors (most of them Afghans).¹¹⁹ And just three years later, as Sweden became one of the least generous countries in the EU at granting asylum to this group, only 30% of the applicants were granted residency according to the European Council on Refugees and Exiles.¹²⁰ However, for the same group (in 2018), 98% residency applications were granted in Italy, 94.8% in Switzerland, 72% in Finland, 69% in Greece, 62.5% in Norway, 49.9% in Belgium, and 48% in Germany.¹²¹

¹¹³ Djampour, P. (2018). *Borders crossing bodies. The stories of eight youth with experience of migrating.* (Doctoral dissertation). Malmö: Malmö University; Brunberg, E., Borg, R.-M., & Fridström, C. (2011) *Ensamkommande barn. En forskningsöversikt [Unaccompanied minors: A research overview]*. Lund: Studentlitteratur; Söderqvist, Å. (2017). *The (re)construction of home: Unaccompanied children's and youth's transition out of care* (Doctoral dissertation). Jönköping: School of Health and Welfare.

¹¹⁴ Khosravi, S. (2016). Deportation as a way of life for young Afghan men. In R. Furman, D. Epps, & G. Lamphear (Eds.), *Detaining the immigrant other* (pp. 169–181). Oxford: Oxford University Press.

¹¹⁵ Torun Elsrud (2020), *Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws.* *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

¹¹⁶ Ibid

¹¹⁷ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK.

¹¹⁸ Torun Elsrud (2020), *Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws.* *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

¹¹⁹ Swedish Migration Agency (2018), *Received asylum applications 2015*. Available at: <https://www.migrationsverket.se/download/18.7c00d8e6143101d166d1aab/1485556214938/Inkomna%20ans%C3%B6kningar%20om%20asyl%202015%20-%20Applications%20for%20asylum%20received%202015.pdf> (accessed on 2020-02-19 at 09:46)

¹²⁰ European Council on Refugees and Exiles (2018), *Return continues to Afghanistan in crisis*. Available at: <https://www.ecre.org/return-continues-to-afghanistan-in-crisis/> (accessed on 2020-02-19 at 13:34)

¹²¹ European Council on Refugees and Exiles (2018), *Return continues to Afghanistan in crisis*

These changes have left many migrants living in extreme marginalisation with no place to live, no income and no support from Social Services. Many of these unaccompanied minors were born in Iran from parents who had escaped from Afghanistan years before and are now forced to hide for fear of deportation to a country (Afghanistan) that to them will certainly be less familiar than Sweden. In 2016, a new ‘temporary law’ (2016:752) on provisional limitations on the terms for obtaining a residence permit was put into practice.¹²² In addition to new controls, this law made it virtually impossible to obtain permanent residency even upon obtaining refugee status. The only exception to this new law was that children would be given permanent residency provided that they had reached Sweden no later than the 24th of November 2015.¹²³ Gradually, the age of young asylum seekers became the crucial argument. If the Migration Agency had found them to be 18 when their first decision was taken, three aggravating conditions would jeopardise their applications:¹²⁴

1. they would not be able to obtain permanent residency if awarded asylum in any way
2. their asylum case process would be handled as if they were adults and not with the special consideration normally given to children
3. their living conditions, their claim for assistance and social care would be limited

Upon arriving in Sweden, adult asylum seekers and families are placed in so-called camps by the Migration Agency. However, those categorised as unaccompanied minors are cared for by Swedish families or at home-like housing care units. Some asylum seekers as young as 15 are re-aged by the Migration Agency upon arriving at the border.¹²⁵ Some are re-aged by Migration Agency officers who have never met them on the basis that they lack proof of age (passports) that the Migration Agency recognises.¹²⁶ The National Board of Forensic Medicines have also re-aged many asylum seekers through medical age examinations.¹²⁷ In these examinations x-ray imaging is used to measure wisdom teeth size and Magnetic Resonance Imaging is used to measure knee joints development, bones development in the

. Available at: <https://www.ecre.org/return-continues-to-afghanistan-in-crisis/> (accessed on 2020-02-19 at 13:34)

¹²² Government Offices of Sweden (2016), Proposal to temporarily restrict the possibility of being granted a residence permit in Sweden. Available at: <https://www.government.se/press-releases/2016/04/proposal-to-temporarily-restrict-the-possibility-of-being-granted-a-residence-permit-in-sweden/> (accessed on 2020-03-26 at 09:39)

¹²³ Barker V (2018), *Nordic nationalism and penal order. Walling the welfare state*. London: Routledge

¹²⁴ Söderqvist, Å. (2017). *The (re)construction of home: Unaccompanied children’s and youth’s transition out of care* (Doctoral dissertation). Jönköping: School of Health and Welfare

¹²⁵ Ibid

¹²⁶ Ibid

¹²⁷ Ibid

wrists and fingers.¹²⁸ If not re-aged by the authorities they are normally placed in support homes in order to make them develop independence as they move into adulthood.¹²⁹ To help them further through the process of integration and to better connect them with their local area they are enrolled into local schools, they are given some pocket money for food and clothing, and a legal guardian is appointed to manage all their needs.¹³⁰

5.3. A Small Window into Homelessness in Sweden

In April 2017, the Swedish National Board of Health and Welfare (SNBHW) carried out its fifth survey on homelessness, which contained data gathered through municipalities, NGOs, correctional authorities, health care providers and local churches.¹³¹ This data referred to individuals who fell under one of the four categories of homelessness during one week in April. Homelessness is broadly defined by the SNBHW and categorised into four situations:

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Situation 1. Acute homelessness includes people sleeping in public spaces and overnight shelters. It also includes those sleeping in accommodation for homeless people, mobile homes, non-conventional buildings and temporary structures

Situation 2. Institution or assisted living. Includes people residing in institutions who lack housing before release

Situation 3. Long-term living arrangements organised by Social Services. The housing situation is contractual and often includes supervision and housing support.

Situation 4. Private short-term living arrangement. Includes people who reside temporarily with friends and relatives as well as those with sub-lease contracts of less than three months.

This survey included people who were 18 or older, who fell under one of the four situations of homelessness, who were Swedish citizens or had either a temporary or permanent residence permit. It also included people younger than 18 who lived without their family but otherwise

¹²⁸ The National Board of Forensic Medicines (2020), Methods for Medical Age Assessment. Available at: <https://www.rmv.se/verksamheter/medicinska-aldersbedomningar/metoder/> (accessed on 2020-04-30 at 16:27)

¹²⁹ Söderqvist, Å. (2017). The (re)construction of home: Unaccompanied children's and youth's transition out of care (Doctoral dissertation). Jönköping: School of Health and Welfare

¹³⁰ Ibid

¹³¹ Socialstyrelsen. *Homelessness in Sweden 2017*. Available at: <https://www.socialstyrelsen.se/globalassets/sharepoint-dokument/artikelkatalog/ovrigt/2018-6-19.pdf> (accessed on 2020-03-01 at 12:38)

¹³² Ibid

met the above criteria. However, it did not include people who were younger than 18, including unaccompanied children, who had been placed outside the home according to the Social Services Act or the Care of Young Persons (Special Provisions) Act. The survey did not include those born abroad and without a residence permit nor EU citizens who were living in Sweden without personal or professional ties.¹³³

Table 4 – No of homeless in Sweden on a week in April 2017

	Situation 1	Situation 2	Situation 3	Situation 4
Number of Homeless	5,900 (650) *	4,900	13,900	5,700

*650 out of 5,900 were sleeping rough outdoor or in other public spaces

In 2017 the number of those acutely homeless was higher than in 2011 (the time of the last survey) and the largest increase was among women born abroad. One-third of these women also reported domestic violence as a contributing factor to their homelessness. Men reported longer periods of acute homeless than women. Men were also more likely to require help with addiction and substance abuse conditions that were said to contribute to their homelessness.¹³⁴ One-quarter of men required only support with accommodation.

The number of men sleeping rough had also increased between 2011 and 2017 with one-fifth reported to be living outdoors, in public spaces, vehicles, tents, trailers and similar.¹³⁵ The smallest group, mostly Swedish men, needed mental health support or help with substance abuse. These individuals often found themselves without a place to live after discharge from an institution, assisted living facility, treatment centre, correctional facility or from a psychiatric unit.¹³⁶

Table 5 – Background Information

Gender	Percentage	Average Age	>65	Born Abroad
Men	62%	41	7%	40%
Women	38%	39	4%	48%

¹³³ Socialstyrelsen. *Homelessness in Sweden 2017*. Available at: <https://www.socialstyrelsen.se/globalassets/sharepoint-dokument/artikelkatalog/ovrigt/2018-6-19.pdf> (accessed on 2020-03-01 at 12:38)

¹³⁴ Ibid

¹³⁵ Ibid

¹³⁶ Ibid

Nearly one-third of the sample had children younger than 18 and more than one-fifth were acutely homeless. Overall more than 24,000 children had a parent in one of the four situations, and between 10,500 and 15,000 children were living part-time or fulltime with a parent in one of the four situations.¹³⁷ Some individuals in the survey were affected by complex social problems and required primary care and assistance beyond housing per se, while others had no issues other than those related with not having a place to live.¹³⁸

The city of Malmö reported that the number of homeless adults had increased significantly in recent years (1,959 people in 2018).¹³⁹ Of those, 560 were born in Sweden, 483 were born in Syria and 136 were born in Afghanistan.¹⁴⁰ Of the estimated 200 homeless EU citizens in Malmö, 42 were Polish.¹⁴¹ Note that EU citizens have the right to move to any EU country to live, work, study, look for a job or retire and can stay for up to three months without registration.¹⁴² However, they may need to report their presence and show they have enough means to support themselves. The only obligation is to hold a legitimate national identity card or passport. If they want to stay longer than three months, they may need to register their residence.¹⁴³

5.4. Homelessness and Migration in Italy

5.4.1. Migration

Current Italian Migration Law developed through Domestic Law enacted in the 1990s and more recent EU Directives and Regulations. The large and controversial reception centres that are nowadays used in hotspot areas and in other parts of Italy were designed and constructed by left-wing governments in the 1990s. Successive governments continued to legislate on immigration often contradicting each other and creating insecurity. Law No. 39/1990 (Martelli Law) was the first effort to standardise immigration in a systematic way and to

¹³⁷ Socialstyrelsen. *Homelessness in Sweden 2017*. Available at: <https://www.socialstyrelsen.se/globalassets/sharepoint-dokument/artikelkatalog/ovrigt/2018-6-19.pdf> (accessed on 2020-03-01 at 12:38)

¹³⁸ Ibid

¹³⁹ Malmö Stad (2018), Kartläggning av hemlösheten och insatser för hemlösa 2018 (Survey of homelessness and efforts for homeless 2018). Available at: <https://motenmedborgarportal.malmo.se/welcome-sv/namnder-styrelser/arbetsmarknads-och-socialnamnden/mote-2019-03-28/agenda/rapport-kartlaggning-av-hemloshet-och-insatser-for-hemlosa-2018pdf-1> (accessed on 2020-04-20 at 17:54), p.7

¹⁴⁰ Ibid, p.11

¹⁴¹ Länsstyrelsen Skåne (2018), Lägesbild avseende utsatta EU-medborgare i Skåne län. Available at: <https://www.lansstyrelsen.se/download/18.6ae610001636c9c68e535f80/1529502411785/EU%20> (accessed on 2020-04-20 at 18:24)

¹⁴² EU (2020), Residence Rights. Available at: https://europa.eu/youreurope/citizens/residence/residence-rights/index_en.htm (accessed on 2020-04-18 at 20:10)

¹⁴³ Ibid

establish the basis for an immigration program.¹⁴⁴ With the Martelli Law, Italy extended refugee protection to those arriving from outside Europe and set forth the fundamental guidelines for asylum admissions and procedures. At the end of the decade, in response to its commitment to the Schengen Treaty, Italy adopted Law No. 40/1998 (Turco-Napolitano Law).¹⁴⁵ With the Turco-Napolitano Law, Italian migration policy was defined in three broad aspects:

1. the regulation of entry
2. residence and work visas
3. the expulsions and control of ‘illegal’ migrants

The Ministry of the Interior was also given the power of administrative expulsion for security reasons and for the public good. Furthermore, the power of administrative expulsion could be exercised by the Ministry of the Interior for breach of border control rules and/or for lack of a valid permission to stay (Unified Text Law No. 286/1998).¹⁴⁶

In Italy, the evaluation of the merits of each asylum claim is based on the 1951 Convention Relating to the Status of Refugees (Refugee Convention). However, because the Refugee Convention does not cover all situations encountered by asylum seekers, subsidiary protection might be awarded. Subsidiary protection is granted when one does not qualify as a refugee but significant reasons reveal that the subject would face a material risk of serious harm if he or she were to be repatriated to the country of origin and would be incapable of acquiring any protection in his or her country of origin.¹⁴⁷ These measures were subsequently unified through Domestic and EU Law. However, it was with Law No. 25/2008 that Italy finally extended legal aid to asylum seekers.¹⁴⁸

¹⁴⁴ Gazzetta Ufficiale della Repubblica Italiana. Decreto Legge 28 febbraio 1990, n.39. Available at: https://www.gazzettaufficiale.it/atto/stampa/serie_generale/originario (accessed on 2020-03-31 at 09:58)

¹⁴⁵ Gazzetta Ufficiale della Repubblica. Decreto Legge 6 marzo 1998, n.40. Available at: https://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=1998-03-12&atto.codiceRedazionale=098G0066&queryString=%3FmeseProvvedimento%3D%26formType%3Dricerca_semplice%26numeroArticolo%3D%26numeroProvvedimento%3D40%26testo%3D%26annoProvvedimento%3D1998%26giornoProvvedimento%3D¤tPage=1 (accessed on 2020-03-31 at 12:24)

¹⁴⁶ European Commission (2008), Legislative Decree 25.7.1998, No. 286 on “Consolidated Act of Provisions concerning immigration and the condition of third country nationals. Available at: <https://ec.europa.eu/migrant-integration/librarydoc/legislative-decree-2571998-no-286-on-consolidated-act-of-provisions-concerning-immigration-and-the-condition-of-third-country-nationals> (accessed on 2020-04-25 at 12:41)

¹⁴⁷ McAdam, J. (2007) *Complementary Protection in International Refugee Law*. Oxford: Oxford University Press.

¹⁴⁸ Gazzetta Ufficiale della Repubblica. Decreto Legge 28 gennaio 2008, n.25. Available at: <https://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=2008-02->

Note that any migrant seeking to enter Italian territory should be in possession of a valid passport (or a valid ID card for EU citizens), a visa if required by law (proof demonstrating the veracity of the reason stated for seeking entry) and enough financial resources for their stay. Furthermore, they must not be a public or security threat and must not be the object of an expulsion order (Art. 4, Unified Text Law 286/1998; Art. 5 EU Regulation 562/2006).¹⁴⁹

In 2008 Italy was the fourth destination for asylum seekers in the industrialized world receiving over 31,000 asylum applications per annum after the US 49,000, Canada 36,900 and France 35,200.¹⁵⁰ In 2009, the push-back (*respingimenti*) policy allowed Italy to return the migrants detained in the Strait of Sicily back to Libya; as a result the number of asylum applications decreased by 42%.¹⁵¹ The number of arrivals continued to decrease for a couple of years until they picked up again after the collapse of Libya in 2011. In 2015 alone, Italy received more than 153,000 migrants, a five-fold increase compared to the preceding decade. At the end of 2016, the number of incoming migrants by sea had increased to 181,283.¹⁵² The EU responded to this emergency by implementing several changes to CEAS and to the EU Agenda on Migration;¹⁵³ it tripled the budget for rescue missions in the Mediterranean, heightened security and defence practices targeting smuggling networks, intensified relocation and resettlement programs and strengthened its cooperation with third countries to tackle the sudden increase in volume of migration upstream. All these measures were

[16&atto.codiceRedazionale=008G0044&queryString=%3FmeseProvvedimento%3D%26formType%3Dricerca_semplice%26numeroArticolo%3D%26numeroProvvedimento%3D25%26testo%3D%26annoProvvedimento%3D2008%26giornoProvvedimento%3D¤tPage=1](https://www.normattiva.it/atto/codiceRedazionale=008G0044&queryString=%3FmeseProvvedimento%3D%26formType%3Dricerca_semplice%26numeroArticolo%3D%26numeroProvvedimento%3D25%26testo%3D%26annoProvvedimento%3D2008%26giornoProvvedimento%3D¤tPage=1) (accessed on 2020-03-12 at 12:40)

¹⁴⁹ Gazzetta Ufficiale della Repubblica. Decreto Legge 25 luglio 1998, No. 286. Available at:

https://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=1998-08-18&atto.codiceRedazionale=098G0348&queryString=%3FmeseProvvedimento%3D%26formType%3Dricerca_semplice%26numeroArticolo%3D%26numeroProvvedimento%3D286%26testo%3D%26annoProvvedimento%3D1998%26giornoProvvedimento%3D¤tPage=1 (accessed on 2020-03-31 at 14:00), Arts. 13(3) and 13(7); Regulation (EC) No. 562/2006. EUROPEAN PARLIAMENT AND OF THE COUNCIL (15 March 2006). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02006R0562-20131126&from=EN> (accessed on 2020-03-31 at 14:22), Art.5

¹⁵⁰ UNHCR (2009) 'Asylum Levels and Trends in Industrialized Countries 2008'. Geneva: UNHCR. Available at: <https://www.unhcr.org/statistics/country/49c796572/asylum-levels-trends-industrialized-countries-2008-statistical-overview.html?query=Asylum%20Levels%20and%20Trends%20in%20Industrialized%20Countries%202008> (accessed on 2020-04-30 at 10:18)

¹⁵¹ UNHCR (2011) 'Asylum Levels and Trends in Industrialized Countries 2010'. Available at:

<https://www.unhcr.org/4d8c5b109.pdf> (accessed on 2020-03-14 at 11:57)

¹⁵² Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe's Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

¹⁵³ EU Agenda on Migration (2015), European Commission - Migration and Home Affairs. Available at:

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf (accessed on 2020-04-15 at 15:15)

primarily aimed at supporting the Southern EU countries worse hit by the emergency, but also to harmonise the asylum systems across the EU.

However, despite a rhetorical commitment to the inviolability of asylum, via complex procedures to distinguish between ‘legit’ and ‘fake’ asylum seekers and strong control measures for the latter, these practices resembled border control measures rather than humanitarian ones.¹⁵⁴ After all, their aim was to stop refugees from reaching the jurisdiction of the countries of potential asylum through a range of non-entry policies and extra-territorial management of border controls.¹⁵⁵ Law No. 142/2015 organised Italy’s reception system accordingly and in three different stages:

1. first aid in hotspot areas was to be provided in First Aid and Reception Centres (*Centri di Primo Soccorso e Accoglienza*, hereafter cited as CPSA)
2. first reception for those lodging an asylum application was to be provided in First Reception Centres (*Centri di Prima Accoglienza*, hereafter cited as CPA)
3. those who had lodged an asylum application but lacked financial resources were held in small centres called Protection System for Asylum Seekers and Refugees (*Sistema di Protezione per Richiedenti Asilo e Rifugiati*, hereafter cited as SPRAR)

Following the increased number of arrivals, part of the media and some politicians began to characterise asylum seekers and refugees in negative ways and construed them as a danger to society, our way of life and national resources.¹⁵⁶ In doing so, they created a widespread fear of migrants and migration; as argued in some research as a new form of ‘moral panic’.¹⁵⁷

The task of distinguishing between ‘legit’ and ‘fake’ applicants has been carried out in large processing centres where all individuals are identified, registered and fingerprinted.¹⁵⁸ Upon their arrival many refugees are physically exhausted and psychologically extremely fragile, hardly in the right state of mind to express themselves coherently or to give the authorities a narrative of their travels which could stand up to scrutiny; unfortunately in Southern Italy

¹⁵⁴ Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe’s Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

¹⁵⁵ Ibid

¹⁵⁶ for a journalistic discussion on how some Italian politicians characterised the 2015 refugee crisis see: <https://theconversation.com/when-politicians-turn-immigration-into-a-crisis-they-hurt-their-own-people-128965> (accessed on 2020-05-28 at 11:39)

¹⁵⁷ Cohen, S (2002), *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (3rd ed.). London and New York: Routledge.

¹⁵⁸ Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe’s Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

hotspots the method of identification described above is not only enacted almost immediately but the questions and the instructions are most often given in Italian, a language that most of the migrants do not understand.¹⁵⁹ Another controversial aspect of these facilities is their remote location, far from public scrutiny and where incidents involving violence on the part of the authorities have been reported (i.e. fingerprints obtained through the use of force).¹⁶⁰

During the election campaign ‘La Lega’ promised increased public security, a vigorous fight against corruption and organised crime and transparency if elected. Despite having been elected as part of a larger political coalition ‘La Lega’ leader (Matteo Salvini) got to work quickly seeking to create new laws and amend old ones; Law No. 113/2018 (Salvini Law) was passed and brought substantial changes to the old Italian Law on immigration. The Salvini Law has three main objectives and for the purpose of my thesis I will be focusing on the first one:¹⁶¹

1. to reform the right to asylum, international protection and the mechanism to obtain citizenship
2. to increase public security by fighting terrorism and organised crime
3. to implement measures to confiscate the assets of the Mafia

The Salvini Law introduced applications for residence permits based on ‘special cases’.¹⁶² Under the former immigration law, it was possible to obtain residence permits based on humanitarian needs (which was a broad category and was thereafter removed).¹⁶³ With a ‘special cases’ permit one is not allowed to be registered in the population but can obtain emergency medical assistance (A&E) and study; this permit must be renewed every year and in some cases it may be converted into a work permit when it expires.¹⁶⁴ If a ‘special cases’

¹⁵⁹ Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe’s Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

¹⁶⁰ Ibid

¹⁶¹ Gazzetta Ufficiale della Repubblica Italiana. Decreto Legge 4 ottobre 2018, n.113. Available at: <https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg> (accessed on 2020-03-31 at 08:28) (hereafter cited as ‘Decreto Salvini’)

¹⁶² Special cases are based on medical care, for victims of domestic violence or serious labour exploitation, for those coming from a country that is in a temporary situation of disaster and for those who have performed acts of high civil value

¹⁶³ This form of protection (additional to the recognition of refugee status and subsidiary protection) used to allow Police Headquarters (*Questure*) to issue a residence permit for humanitarian reasons to foreign citizens who showed serious reasons, in particular of a humanitarian nature or resulting from constitutional or international obligations of Italy

¹⁶⁴ Decreto Salvini, Art.1

application is denied or a permit is revoked one has 30 days to appeal from the day of first notification or 60 days if one resides abroad.¹⁶⁵

The Salvini Law also extends to 30 days the period in which migrants can be detained in the Centres of Stay for Returns (*Centri di permanenza per i Rimpatri*, hereafter cited as CPR) to allow for their citizenship and identity to be verified (the 30 days may be extended to a maximum of 180 days).¹⁶⁶ Salvini argued that this extension was to facilitate the deportation of those deemed ‘irregular’. For migrants whose international protection is denied or revoked and for those who are in the process of being deported, the Salvini Law takes away the right of appeal.¹⁶⁷ It was argued that these measures were designed to limit repeated and systematic attempts to prolong one’s stay by continuously lodging appeals to suspend deportation.¹⁶⁸ The Salvini Law also added crimes that would automatically deny or revoke a migrant’s request for international protection, these include violence of a sexual nature, drug trafficking, robbery, extortion, theft, burglary and threats or violence toward a public official.¹⁶⁹ The Salvini Law introduced measures to ensure that those who had been deported could not lodge an appeal or a new request for international protection. Those deported would also lose any benefits they were entitled to whilst in Italy.¹⁷⁰

The number of SPRAR centres (now SIPROIMI) has also been reduced since the introduction of the Salvini Law. Under the previous law, this type of centre could accept migrants who were waiting for the recognition of refugee status; now they can only accept unaccompanied minors and those who have attained international protection status.¹⁷¹ Those waiting for an answer to their applications for international protection stay in Reception Centres for Asylum Seekers (*Centri di Accoglienza per Richiedenti Asilo*, hereafter cited as CARA). The crucial difference between these two types of centres is that while the SIPROIMI are small centres that provide an individually tailored reception comprising comprehensive education and healthcare, the CARA are much larger centres and therefore healthcare, education and contact hours with case workers are greatly reduced. Another important change introduced by the Salvini Law is that the residence permit becomes the migrant’s ID. This in turn will no longer allow the migrants who have received an international protection permit to be registered with

¹⁶⁵ Decreto Salvini, Art.1

¹⁶⁶ Decreto Salvini, Art.3

¹⁶⁷ Decreto Salvini Art.9

¹⁶⁸ Decreto Salvini Art.9

¹⁶⁹ Decreto Salvini Art.10

¹⁷⁰ Decreto Salvini Art.10

¹⁷¹ Decreto Salvini Art.12

the Registry Office and obtain the equivalent of the Swedish personal number; without this it is not possible to be registered with a family doctor,¹⁷² to find a private residence, to open a bank account or to find legitimate work.

The cost of citizenship applications has increased from 200 to 250 Euros.¹⁷³ The amount of scrutiny, the number of checks, the waiting time have all increased and a successful application could now take up to four years.¹⁷⁴ To make matters worse the amount of money made available for legal aid has been reduced with the following consequences:¹⁷⁵

1. lawyers can no longer be paid in advance
2. legal work resulting in inadmissible applications is not paid
3. consultations with a lawyer deemed ineffective at proving a case are not paid

Like the ‘re-escaping’ of unaccompanied children witnessed in Sweden,¹⁷⁶ an Italian study found that some Eritreans migrants also tried to ‘re-escape’ to a different EU Country. Despite their fingerprints had already been registered in the European Asylum Dactyloscopy database (EURODAC)¹⁷⁷ they were not deterred by the restrictive migration practices.¹⁷⁸ Their decision-making process on whether to continue to reach northern Europe (in spite of the low chances of success) was influenced by individual risk perception, social expectations and contextual factors.¹⁷⁹ For many, having already risked so much, restrictive migration practices were not perceived as insurmountable barriers but rather as another obstacle, another challenge on the unforgiving road to survival.¹⁸⁰

It is important to note that when CEAS and the EU Agenda on Migration came together with the purpose of harmonising the common minimum standards of asylum across the EU, their endeavour resulted in a situation that was criticised as being a symbol of restriction,

¹⁷² Decreto Salvini Art.13

¹⁷³ Decreto Salvini Art.14

¹⁷⁴ Decreto Salvini Art.14

¹⁷⁵ Decreto Salvini Art.15

¹⁷⁶ Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden’s sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

¹⁷⁷ European Commission (2020), Migration and Home Affairs – Identification of Applicants (EURODAC). Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/identification-of-applicants_en (accessed on 2020-04-16 at 16:02)

¹⁷⁸ Belloni M (2016), Refugees as Gamblers: Eritreans Seeking to Migrate Through Italy. *Journal of Immigrant & Refugee Studies*, Vol 14 No 1, 104-119

¹⁷⁹ Ibid

¹⁸⁰ Ibid

imprisonment, violation of migrants fleeing war, persecution and civil oppression.¹⁸¹ Research shows that despite the rhetorical commitment to the inviolability of asylum, both Italy and Sweden have implemented measures that restrict access to international protection.¹⁸² They have restricted protection through the implementation of policies and practices seeking to differentiate between ‘trustworthy’ and ‘untrustworthy’ asylum seekers,¹⁸³ with the latter increasingly exposed to control measures constraining their personal freedom.¹⁸⁴ As discussed earlier, these measures resemble postcolonial laws aimed at separating those deemed worthy of entering the EU from those deemed unworthy; laws separating the ‘West’ from the ‘Rest’.¹⁸⁵

5.4.2. Homelessness

Data published by FEANTSA showed that between November and December 2014 there were 50,724 people who requested basic assistance i.e. showering facilities, food, shelter from one of the 768 service providers in the 158 Italian cities surveyed (a 6% increase from 2011 to 2014).¹⁸⁶ These number are increasing and include both migrants and Italians. In Italy, shelter for the homeless is provided by NGOs. To provide relief for homeless people during the difficult winter months a precariously built temporary shelter was made by recycling shipping containers (in Turin). The individuals living in the shelter could broadly be distinguished into two groups (Italians and foreigners). When a study was conducted on the effectiveness of providing this inexpensive solution several problems emerged.¹⁸⁷ The poor insulation from the outside, the lack of privacy and the generally uncomfortable living

¹⁸¹ Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe’s Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

¹⁸² Ibid; see also Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden’s sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

¹⁸³ Boswell C (2003), *European Migration Policies in Flux. Changing Patterns of Inclusion and Exclusion*, London, Blackwell, p.54; Scheel S & Squire V (2014), “Forced Migrants as Illegal Migrants”, in E. Fiddian-Qasmiyeh, et al. (eds.), *The Oxford Handbook of Refugee and Forced Migration Studies*, Oxford, Oxford University Press, p.194

¹⁸⁴ Welch M & Schuster L (2005), “Detention of Asylum Seekers in the US, UK, France, Germany, and Italy: A Critical View of the Globalizing Culture of Control”, *Criminology and Criminal Justice*, 5(4), 331–355; O’Nions H (2008), “No Right to Liberty: The Detention of Asylum Seekers for Administrative Convenience”, *European Journal of Migration and Law*, 10(2), 149–185.

¹⁸⁵ Darian-Smith E (2013), *Postcolonial Theories of Law*, in Reza Banakar and Max Travers, *Law and Social Theory* (2nd ed). Hart Publishing

¹⁸⁶ FEANTSA (2019), *Fourth Overview of Housing Exclusion in Europe*. A joint publication by FEANTSA and the Foundation Abbe Pierre. Available at: https://www.feantsa.org/download/oheeu_2019_eng_web5120646087993915253.pdf (accessed on 2020-02-24 at 09:51)

¹⁸⁷ Lancione M (2016) Racialised dissatisfaction: homelessness management and the everyday assemblage of difference. *Transactions of the Institute of British Geographers*, Vol.41 Issue 4, 363-375

conditions created deep frustration among the guests which soon resulted in antagonism between the groups characterised by expressions of dissatisfaction in racialised terms.¹⁸⁸ However, outside the shelter, many of the same individuals were willing to engage in meaningful and friendly relationships of trust and work with people from different groups.¹⁸⁹

6. Analysis

Through the content analysis of the notes from the interviews and the notes from participant observations, three themes kept emerging in the access to social justice context:

1. lack of access to housing
2. lack of access to all aspects of healthcare
3. the data points at themes 1 and 2 being important contributing factors in pushing individuals into substance abuse

Research suggests that having a job and a steady income is crucial to prevent homelessness in both Italy and Sweden.¹⁹⁰ While some homeless migrants in my sample have a source of income from the ‘informal economy’, most depend on the support of NGOs for housing, sustenance and all aspects of healthcare. Marginalised groups and individuals with social problems also find accessing regular housing harder because many property owners do not accept social assistance as income.¹⁹¹ The data confirms previous research findings, that is, difficulties associated with being homeless often stand in the way of getting the necessary support to exit homelessness itself.¹⁹² It appears that a multi-professional intervention, including mental health professionals, doctors, nurses, social workers and legally trained people, is necessary to fight homelessness.¹⁹³

¹⁸⁸ Lancione M (2016) Racialised dissatisfaction: homelessness management and the everyday assemblage of difference. *Transactions of the Institute of British Geographers*, Vol.41 Issue 4, 363-375

¹⁸⁹ Ibid

¹⁹⁰ FEANTSA (2019), Fourth Overview of Housing Exclusion in Europe. A joint publication by FEANTSA and the Foundation Abbe Pierre. Available at:

https://www.feantsa.org/download/oheeu_2019_eng_web5120646087993915253.pdf (accessed on 2020-02-24 at 09:51)

¹⁹¹ Ibid

¹⁹² Ibid

¹⁹³ Ibid

6.1. Homelessness and Internal EU migration

For the analysis in this section I have used data from interviews with a Swedish Church employee (Malmö), a Swedish Red Cross social worker (Malmö), a Stadsmissionen project leader (Malmö), a Syrian refugee (Malmö), two NGO coordinators (Reggio), one nurse (Reggio), two reception centres coordinators (Cuneo), one teacher (Cuneo) as well as 50 hours of participant observation in a homeless shelter (Malmö).

At the homeless shelter where I conducted my participant observation the largest group was that of the Romani people from Romania; the numbers varied everyday but was almost always between 20 and 25 people. The shelter had moved from its previous location in the basement of a Swedish Church to newer premises a few kilometres away from the city centre. The new premises had four bathrooms, a locked room to store the visitors' belongings, a main room where visitors could spend the night resting on long-garden chairs; the large kitchen and the pantry could only be accessed by staff. When entering the shelter all visitors are asked to leave their belongings in the baggage room. This is a way to avoid conflicts and it is particularly relevant to the Romani people since it is not unusual for them to carry trolleys full of refundable plastic bottles and cans collected throughout the day.

The shelter I visited operates between December and April and accepts anyone irrespective of their nationality, age, sex or any other background. On any given night, the staff at the shelter consists of three full time Stadsmissionen employees and three volunteers. While Stadsmissionen employees would work from 19:30 until 08:30 the following morning, only one volunteer would stay the whole night while the others leave at midnight. The new premises are an improvement in that the building is newer (better ventilation and insulation) and bigger (more space for visitors, staff and volunteers). The main room is much larger and this allows for tables and chairs; eating and socialising suddenly become more pleasant. Unfortunately the new premises are hard to find and those who can't find it spend the night outside.

Emil is a social worker for the Swedish Red Cross and says: *"When it comes to other groups, for example the Romani people, they virtually get no help from the municipality from Malmö stad"*

With the Romani people the theme of lack of access to housing kept coming up in the data; Recognition and Redistribution resonate with this group's homelessness. Despite being EU citizens they rely on the homeless shelter for accommodation and beg outside supermarkets to

buy food. This is why Scales of Justice and its principle of redistribution are needed when it comes to socio-legally analysing the rights that are enshrined in law.

Emil says: *“especially a lot of the Romani who come here for begging or collecting recycling many of them come and go. So they don’t reside here whole year round. But some do. It is difficult to follow them because they do not trust outsiders. When the Municipality of Malmö counts the homeless, they only count the registered citizens. None of the EU citizens, none of the asylum seekers, none of the undocumented migrants”*

As EU citizens, after three months in Sweden, they must demonstrate to the Swedish authorities that they are working, studying or have ‘sufficient’ means to support themselves and the lack of trust suddenly becomes an extra hurdle for this group.¹⁹⁴ In fact, EU citizens and undocumented migrants were not counted in the report on homelessness published by the city of Malmö.¹⁹⁵ Conceptually speaking, Fraser’s Recognition and Redistribution are particularly relevant when discussing this group’s homelessness. According to some of the social workers at the shelter all the Romani people there have been poor and homeless long-term. Observing this group’s internal dynamics I could see that the women were clearly lower in the social hierarchy of the group and would do everything for the men: cooking, cleaning, preparing the resting chairs for the night and standing in the queue to get food. Here Intersectionality becomes a significant theoretical perspective since being a Romani woman is a combination that pushes the individual toward marginalisation two ways (because of the ethnicity from the ‘outside’ of Swedish society and because of the gender from the ‘inside’ of the group of Romani people who participated in my research).

On the theme related to substance abuse many other factors have emerged within the data I have collected. During the 50 hours of my participant observation at the homeless shelter several men (Romani and Swedish) were always noticeably intoxicated.¹⁹⁶ Drug use was forbidden within the shelter however intoxicated visitors were allowed in. When I enquired about substance abuse, members of staff confirmed that many visitors were long-term homeless users (mostly alcohol and amphetamines) and those intoxicated, on a few occasions

¹⁹⁴ Swedish Migration Agency (2020), Work, study or live in Sweden for EU citizens. Available at: <https://www.migrationsverket.se/English/Private-individuals/EU-citizens-and-long-term-residents/Work-study-or-live-in-Sweden-for-EU-citizens.html> (accessed on 2020-04-22 at 18:57)

¹⁹⁵ Malmö Stad (2018), Kartläggning av hemlösheten och insatser för hemlösa 2018 (Survey of homelessness and efforts for homeless 2018). Available at: <https://motenmedborgarportal.malmo.se/welcome-sv/namnder-styrelser/arbetsmarknads-och-socialnamnden/mote-2019-03-28/agenda/rapport-kartlaggning-av-hemloshet-och-insatser-for-hemlosa-2018pdf-1> (accessed on 2020-04-20 at 17:54)

¹⁹⁶ The SNBHW survey also found that many Swedish men in ‘Situation 1’ had substance abuse problems

were asked to leave because of the fights and arguments they were prone to get into. Depression, anxiety, PTSD and other mental disorders are quite common among homeless people. The lack of access to healthcare, exacerbated by homelessness, pushes these vulnerable individuals into more substance abuse. The above relationship (homelessness, lack of healthcare and substance abuse) is also confirmed by another NGO. Aware of this correlation and willing to break this link, Stadsmissionen makes nurses available to support homeless people four days every week.

Malin who organises such activities says: *“we have Romani people who come to us for help and some is clear they have like severe mental health problem because of many years living like this but also constant worrying does not help you. Because there is a lot of health problem with that population both you know physical and dental, and if they go to the emergency room they can get a bill for like 4000SEK or something which I mean come on, you know”*

Malin’s comment resonates with Recognition and Redistribution; despite being EU citizens the Romani people in my sample do not have the financial resources to pay for medical bills. Close to where I interviewed Malin there is another NGO where a doctor and a dentist are available once a week to people (most of whom are homeless) who could not otherwise afford their care. Intersectionality fittingly emerges to describe the harsh day-to-day reality of this group’s marginalisation; Redistribution then points to the need for resources (money) to rent a place, to buy food and having to rely on NGOs for housing, sustenance and to see a dentist or a doctor. For example, those in need (usually homeless people with a migrant background) can buy a 100 SEK (approximately 10 Euro)¹⁹⁷ yearly membership from Stadsmissionen that allows for a large bag of groceries to be collected every week (52 weeks).

According to Malin, those using these services are mostly Romani people from Romania: *“we have 94% I think it is are from Romania. Other Stadsmissionen around Sweden also have the same numbers, for some reasons it is a lot of Romanians Romani”*

Here we begin to see the intersection of migration and homelessness in the Romani people’s experience, most of whom become homeless upon arriving in Sweden with all the upheaval that such conditions entail. Malin has also noted an increase in the number of visitors who appear to be intoxicated: *“but also we do see little bit of increase a lot of them drink a lot so I would say that few are alcoholics”*

¹⁹⁷ Xe.com. 9.39051 Euro. Available at: <https://www.xe.com/currencyconverter/convert/?Amount=100&From=SEK&To=EUR> (accessed on 2020-05-05 at 19:46)

Health issues and substance abuse seem to be strongly linked to long-term homelessness. One of the Swedish Churches in Malmö provides breakfast to homeless people five days a week; there, people can shower and do their laundry. Ulla is a Church employee and says: *“the people who come here are drug addicts and some are homeless or shifting places where they live. They don’t have their own place to live and many are Roma people from Romania”*

The Swedish Red Cross reports Romani women falling into prostitution to find shelter. Intersectionality, Recognition and Redistribution are relevant conceptualizations as they show us how being women of Romani ethnicity migrating through the EU, along with a lack of the material resources needed to rent an apartment, contribute to pushing some of them into prostitution. Emil, who has worked with this group for some years explains how for some women it can be dangerous and he says: *“you have a lot of cases of exploitation because these people they don’t have anywhere to stay so they stay at home with people that might be expecting different things from them. There have been a number of cases of sexual exploitation for example. Mainly because of the fact they need a roof over their heads. So this is a huge problem of course. Huge problem”*

In interviewing Leonora, who works as a nurse with undocumented migrants in Reggio, I found that women from this group faced similar situations in Italy; the lack of access to all aspects of healthcare emerged again as an important theme from the interviews I conducted in Italy.

Leonora says: *“which is also a problem for some European women who come here from Romania. I mean Roma women from Romania. I don’t know how it is in Sweden, but here Roma people are badly treated and many work in the informal economy, in the fields, they are here as irregular and so don’t have a family doctor and so they come here, for the dentist also”*

The intersection of homelessness and migration is apparent in these excerpts, as Romani people experience it in Italy as well as in Sweden; EU law allows them to migrate and settle yet they somehow find themselves homeless. During my fieldwork in Reggio I interviewed Giovanni whose NGO owns a three storeys house where ten formerly homeless migrants now live.¹⁹⁸ Giovanni’s NGO supports a further number of homeless people, who live in an abandoned industrial estate on the outskirts of Reggio, by bringing them food. The group they

¹⁹⁸ I was there on a Sunday evening and there was a lively atmosphere in the house. Approaching it from the street I could see it stood out in the row of other houses as it was taller and livelier than the neighbouring buildings: different colours everywhere, people chattering, music and a lush garden with fruit trees and benches. There was a good, positive energy all around it.

care for is comprised of various nationalities although the majority are Romani people from Romania.

Giovanni says: *“the Romani people you find there come here for the spring and summer seasons to work in the fields around Reggio. Some form group and manage to rent a house or an apartment but many cannot because Italians normally don’t trust them. So they end up here and we try to help them with food”*

Intersectionality resonates with Recognition in the account given by Giovanni. Different characteristics such as ethnicity, nationality and social class, seem to combine to make this group homeless and the fact that they need the support of NGOs for food, a dentist or a doctor is why Redistribution matters. In Cuneo I interviewed a teacher who taught Italian to refugees in a CAS centre.

Cecilia mentioned a ‘gypsy’ camp she saw on her way to work and says: *“I see it when I drive from home to work and vice versa. It is big, there must be at least 50 people and they live in tents and what looks like containers. Around it you can see loads of rubbish of course. I know a social worker who goes there and who said that the whole camp is very unsanitary”*

In Italy, the Romani people are often referred to as ‘gypsies’, and this camp is no exception. Sites such as this are usually seen in the spring and summer months providing shelter to the large number of Eastern European seasonal labourers travelling to Italy to do agricultural work in the fields.¹⁹⁹ These camps have existed for decades and their residents have been construed to be ‘gypsies/travellers’, stories about them being dangerous (children kidnappers, rapists) have been circulating for a very long time.²⁰⁰ We are reminded of how different aspects of the life of others can be combined to create this unique mode of discrimination.²⁰¹

One of the Syrian refugees whom I interviewed in Malmö had an interesting story on how he reached Sweden from Italy. This person arrived in Sicily in early September 2014 through Turkey by crossing the Mediterranean on a boat. He was smuggled from the coast of Syria to Milan with the help of the Turkish and Italian Mafias.

¹⁹⁹ Sigona N (2002), *Figli del Ghetto – Gli italiani, i campi nomadi, e l’invenzione degli zingari (Sons of the Ghetto – Italians, the nomads camps, and the invention of the gypsies)*. Civezzano: Nonluoghi Libere Edizioni

²⁰⁰ Ibid

²⁰¹ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK

Jamal arrived in Sweden in December 2014, and says: *“yes, the Italian mafia told us that from Milan we had to go by yourself, they cannot do anything more. Then some day came a driver he was from Romania, in my camp he called me and said if you get 4 persons I can take you to Denmark. Took me and 3 persons by car. I go and got 3 persons we talked we paid them 1,000 per person”*

Jamal told me that the Romanian who drove him from Milan to Copenhagen looked like a beggar. There seems to be ingenuity and creativity bringing together marginalised individuals and organised crime to exploit every opportunity. Jamal was coming from outside Europe nevertheless I believe it was appropriate to include this example because it was a Romanian to take the lead from the Italian Mafia and to accompany for a fee, the Syrian refugees all the way to Copenhagen; the EU principle of freedom of movement allowed him to move freely and he was thus able to smuggle them all the way to Copenhagen. Furthermore, while waiting in Milan Central Station for the next leg of his journey, Jamal was homeless for a few days.

Jamal says: *“I was erm in a camp for the homeless. First, I stayed in the Central Station for two, three days, I lived there and slept there. Then came some people from an Islamiska organisation in Milano and took us from Milano Station by bus to this camp and I stayed there two weeks”*

Jamal was in Milan for two weeks, three days of which he slept rough in Milan Central Station; because Jamal is a Muslim, he could get in contact with an Islamic NGO who provided him shelter for the remainder of his time in Milan. Clearly, this part of the data hint at the complexity of intersections of (different forms of) migration and homelessness in Europe.

The findings from the data I have collected describe a reality where this particular group struggles to access basic rights such as housing, healthcare and employment. In reference to the three research questions outlined above, and after having analysed the above research findings in the context of EU internal migration, I will now answer these questions.

How have migrants experienced the immigration policies and practices in Italy and Sweden?

A large proportion of the Romani people who travel to Italy or Sweden looking for work become homeless, marginalised and have no access to healthcare as expressed by Malin *“we have Romani people who come to us for help and some is clear they have like severe mental health problem, there is a lot of health problem with that population both you know physical and dental”*. In Italy, Leonora expressed similar concerns when it comes to this group *“I don’t know how it is in Sweden, but here Roma people are badly treated and many work in the*

informal economy, in the fields, they are here as irregular and so don't have a family doctor and so they come here, for the dentist also". The long-term consequences are often seen in the worsening of pre-existing mental health issues and in the increase of substance abuse. Their experiences speak of extreme marginalisation where the only respite comes through NGO support: shelter, food and all aspects of healthcare is largely provided by civil society, as stated by Emil "*the Romani people, they virtually get no help from the municipality*". In both Italy and Sweden, this group's experience of the immigration policies and practices appears negative.

In what ways has homelessness affected the migrants?

Homelessness affects the Romani people by exacerbating all the problems that are uniquely associated to each individual. Some of them have a long history of mental illness and substance abuse; these are exacerbated by the harsh conditions of homelessness.

Homelessness hits women harder because the only way some may find shelter is through prostitution as Emil explains "*there have been a number of cases of sexual exploitation for example. Mainly because of the fact they need a roof over their heads. So this is a huge problem of course. Huge problem*". In Sweden further discrimination accompanies the life of a Romani woman, she has to serve the men since this is customary within her group, as I noticed during my 50 hours of participant observations at the homeless shelter.

How do migration and homelessness intersect in Italy and Sweden?

In both Italy and Sweden, the data collected suggest that the Romani people migrating to these countries for work are faced with long-term homelessness and all the problems associated with it. Emil's, Malin's, Giovanni's and Leonora's narratives convey how the only support in terms of shelter, healthcare and food for this group comes from NGOs. Limited access to all aspects of healthcare in particular is an aggravating factor within this group. These two issues (homelessness and lack of access to all aspects of healthcare) seem to further push some individuals towards addiction and substance abuse, as noticed by Ulla "*the people who come here are drug addicts and some are homeless or shifting places where they live*", by me and by some of the staff at the homeless shelter.

6.2. Homelessness and Forced Migration from outside Europe

For the analysis in this section I have used data I have collected from interviews with two caseworkers from the SIPROIMI centres for unaccompanied minors (Reggio and Bologna), a nurse working in a medical facility for undocumented migrants (Reggio), the coordinator of an NGO who helps homeless people (Reggio), two migrants who arrived as unaccompanied

minors (Bologna), one migrant who arrived as an unaccompanied minor (Reggio), two coordinators from the SIPROIMI centres (Cuneo area), a project leader of an NGO supporting homeless undocumented migrants aged 18-25 (Malmö), the coordinator of another NGO also supporting homeless undocumented migrants aged 18-25 (Malmö) and three undocumented migrants (Malmö). I also visited three apartments operated by a SIPROIMI centre and one further apartment operated by an NGO (Reggio).

The undocumented migrants I interviewed in Malmö arrived in Sweden between 2014 and 2016 aged 13 and upon arrival they were placed in families or in family homes by the Migration Agency. For some the first rejection occurred after they turned 18 when the Migration Agency rejected their applications to stay as adults. Gradually the Social Services withdrew their support and they found themselves homeless. After receiving several rejections, some tried to ‘re-escape’ to other EU Countries (France and Italy) in the hope of finding acceptance.²⁰²

Maria, the head of an NGO that supports young undocumented migrants (mainly Afghans) says: *“the welfare system in Sweden is very good! depends if you are in or out, so if you are in you have all the benefits of an advanced system, but if you are out it is terrible, you live in most absolute poverty, there is nothing you can do. All people in our group arrived as unaccompanied children, entered the system but lost the right to stay in Sweden aged 18 based on asylum laws but they don’t leave and so end up homeless, without support from Social Services and without the possibility to work”*

The data already hint at how the intersection of migration and homelessness works, and how a migrant’s unique characteristics (age, ethnicity, gender and nationality) appear to contribute to their marginalisation. Maria’s comment about the Swedish Welfare System is a reminder of why Scales of Justice’s principles of Recognition and Redistribution are important in the discussion about accessing rights. A theme that kept emerging from the data I collected in both Italy and Sweden was lack of access to housing and the consequent health problems associated with long-term homelessness. Western Europe has built extensive welfare systems and institutionalised cross-class solidarity that unfortunately ‘rested on a series of gender and racial-ethnic exclusions, not to mention neo-colonial exploitation’.²⁰³ Recognition,

²⁰² Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden’s sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30)

²⁰³ Fraser Nancy (2008), *Scales of Justice Reimagining Political Space in a Globalizing World*. Polity Press, Cambridge UK, p.103

Redistribution and Intersectionality resonate with the research participants' narratives in my data. They escaped to Europe to find acceptance and refuge but instead found exclusion (as undocumented migrants) because, as Intersectionality shows, law often '*reproduces system of domination, relegating black women and other multiply oppressed groups to the "basement" of social hierarchy*'.²⁰⁴ Sadly, for many of them the road to homeless had started long before.

Maria says: "*they managed to escape from terrible situations with great difficulty, not just wars but family feuds, because of religious differences, land disputes, problems with the Taliban*"

The undocumented migrants who re-escape to other EU Countries often end up in worse situations. Maria whose NGO has contacts within similar organisations across the EU says: "*we have some friends, a sister organisation, in Paris that is good and well organised and where we have three boys and they are helping them. However, they don't bring them home not even for half an hour, they are afraid to having them home because there it is illegal to help undocumented migrants, people talk and the neighbours spy on you, and so there is a climate of fear*"

Most of the support for my research participants comes from NGOs alone and since Italian laws on helping undocumented migrants are quite harsh it is far easier for them to receive more comprehensive support in Sweden.²⁰⁵ On the other hand unaccompanied minors from Afghanistan have statistically better chances to obtain protection in Italy.²⁰⁶ Despite the purpose of CEAS and the EU Agenda on Migration being to harmonise the standards of asylum across the EU, the narratives of those I interviewed suggest an uncertain reality for migrants.

Maria says: "*However, my colleagues from my cooperative in Italy told me that without papers, even that he has applied for asylum, no one would help him not even priests because it is illegal.*"

While many NGOs can provide temporary accommodation, food and psychological support, the long-term consequences of living in constant fear of deportation and in a state of

²⁰⁴ Carastathis Anna (2016), *Intersectionality Origin, Contestations, Horizons*. University of Nebraska Press, Lincoln & London, p.103

²⁰⁵ Italian Police (Polizia di Stato) (2018), Hospitality for non-EU citizens: obligations for private individuals who, for any reason, provide accommodation (Ospitalità a cittadini extracomunitari: adempimenti per i privati che, a qualsiasi titolo, forniscono alloggio).

Available at: <https://www.poliziadistato.it/articolo/125a93e344e6c73863395263> (accessed on 2020-04-15 at 17:17); DECRETO LEGISLATIVO 25 luglio 1998, n. 286. Available at:

https://www.esteri.it/mae/normative/normativa_consolare/visti/d_lgs_25_luglio_1998_n_286.pdf (accessed on 2020-04-15 at 17:23), Art.7

²⁰⁶ European Council on Refugees and Exiles (2018), Return continues to Afghanistan in crisis. Available at: <https://www.ecre.org/return-continues-to-afghanistan-in-crisis/> (accessed on 2020-02-19 at 13:34)

'illegality' exacerbate their already fragile mental states causing some to suffer severe mental breakdowns.

Maria says: *“One escaped to Italy because he was expelled from France and if he returned to Sweden he would have been detained and deported to Kabul. He is one of ours who had a very difficult situation. He has had a serious psychotic attack and we lost contact for nine days and then he ended up in a psychiatric hospital for three months, he is back with us in Sweden now.”*

As discussed in the Literature Review, what Maria describes seem more like symbols of restriction, imprisonment and violation than laws aiming to protect people fleeing war and persecution.²⁰⁷ At Maria's NGO, I met a few of these young undocumented migrants. Usman was born in Afghanistan but grew up in Iran where his family escaped in the early 2000s. He arrived in Sweden in 2015 when he was 14 years old. He comes across as intelligent, kind and can speak English, Swedish, Dari and Persian. He went through the Swedish asylum system for unaccompanied minors and lived with a Swedish family until he turned 18. Then he received his first rejection from the Migration Agency, gradually lost support from Social Services and has since relied entirely on Maria's organisation for accommodation, food and all aspects of healthcare. If found by the Police he would be deported to Afghanistan, a place he knows less than Sweden.

Usman says: *“I am optimistic, thanks to Maria and the others at *²⁰⁸ I have hope again, after we talk I feel better. ²⁰⁹ What else can I do I have to hope and pray that my situation will be better. I cannot go to Afghanistan; I was there only when I was maybe 2 or 3 and I don't know anybody there, my family is in Iran now”*

Usman does not suffer from serious psychological or other health issues. Those unaccompanied minors who were placed in Swedish families or family homes enjoyed the benefits of homelike environments and because they have not been exposed to the harsh

²⁰⁷ Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden's sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30); Brunnberg, E., Borg, R-M., & Fridström, C. (2011) Ensamkommande barn. En forskningsöversikt [Unaccompanied minors: A research overview]. Lund: Studentlitteratur; Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe's Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

²⁰⁸ I have kept the name of the organisation out. What Usman said was that the people at the organisation are helping him a lot. There are several staff, all professionals, comprising nurses, psychologists and lawyers (advokater) who provide Usman and the other 'kids' with whatever support they may need

²⁰⁹ twice a week they Maria's organisation offers therapy sessions with two psychologists who specialise in children mental health and who help them dealing with issues such as stress, PTSD, anxiety and depression

conditions of homelessness they are easy to work with, keen, capable learners who just want to integrate.

Maria has worked with unaccompanied children since 1997 and says: *“these kids would live on the streets and they have often completed the gymnasium and they are integrated, and they speak Swedish. Many have lived in Swedish families where they have been treated well. They come to us because they are not very well and they need help finding housing and psychological support. Many find us through word of mouth”*

The importance of having access to material resources and shelter (redistribution of resources) to exit (or avoid) homelessness is implicit in Maria’s words. The concepts of Recognition and Redistribution are relevant here because it is by recognising their need for shelter and providing them with housing and healthcare that they begin to exit this state of marginalisation. At Maria’s NGO I met Youssef, a 21-year-old undocumented migrant from Morocco who arrived in Sweden aged 14. After leaving Morocco he spent almost a year in Italy and a year in Germany. Youssef has been homeless for most of that time and has survived thanks to NGOs support and the work done in the informal economy. He is another example of how migration and homelessness intersect in Europe and how long-term homelessness can potentially lead to addiction and substance abuse.

Youssef says: *“I worked in the black market. Sometimes I slept inside and sometimes outside in the streets. But in Italy it is okay even in winter if you stay south. In Germany is very cold at night even in summer. In Sweden I lived in Stockholm for five years before I come here and I often slept in the streets there, sometimes with snow, but sometimes in homeless shelters so it was okay”.*

Despite everything Youssef had a very calm demeanour and spoke in a soft-gentle tone that was barely audible amidst the chatter in the room where we spoke. However, there was a sense of sadness around him and in his hushed tone of voice. Maria (a psychologist) has colleagues who work with undocumented migrants from Morocco.

Maria says: *“the kids from Morocco have often been living on the streets before arriving in Sweden because they had been abandoned by their families and so they struggle to follow routines and rules. They spent many years doing small criminal activities to survive. They have no grounds for asylum and so it is even harder for them than for the Afghani”*

Maria’s comment gives hint of the detrimental impact migration laws have on some migrants. During my conversation with Youssef another undocumented migrant from Afghanistan mentioned that while in Sweden he had also been homeless and he wanted me to know that he

had never taken drugs. Omar said that he had been homeless for four months before finding lodging thanks to Maria's NGO.

Youssef says: *"after spending some time living and sleeping on the streets, when it is very cold, you are hungry, alone and no one likes you have to take the drugs erm to feel better, to survive"*.

While Omar had 'only' been homeless for four months, Youssef had been homeless for almost six years. To me, this difference was very noticeable in the way they talked, their mannerism and in their narratives. Furthermore, long exposure to the conditions of homelessness would in many cases worsen pre-existing mental conditions (PTSD, depression and anxiety among others) pushing some further into addiction and substance abuse. The longer the exposure to the harshness of homelessness, the harder it becomes to re-integrate into Society.²¹⁰

Aisha who is a member of a team that manages a shelter for young homeless people says: *"Some have drug problems some they have psychological issues, and some fall into prostitution or have been involved as well in prostitution. 1/3 are undocumented Afghanis who have been to this circle of rejection after rejection when their permits are not renewed and being 18 and nothing is working they will be ending up with some kind of drug addiction or some kind addiction and psychological issues and ending up in the streets as well"*

Intersectionality is relevant here because of how the undocumented migrants' characteristics combine to create unique modes of discrimination that apply specifically to this group of young men (and women) from Muslim majority countries. Representing their current needs as homeless undocumented migrants (denizens – foreigners who were only allowed certain rights in their adopted countries)²¹¹ and redistributing material resources to help them 'escape' their homelessness is how Scales of Justice contributes to Intersectionality and goes beyond the scope of international law. The intersection of migration and homelessness is explicit in these narratives.

²¹⁰ FEANTSA (2020), Homeless in Europe. Health and Homelessness. Available at: [https://www.feantsa.org/public/user/Resources/magazine/2019/Winter/Homeless in Europe Winter 2019 - full.pdf](https://www.feantsa.org/public/user/Resources/magazine/2019/Winter/Homeless%20in%20Europe%20Winter%202019%20-%20full.pdf) (accessed on 2020-03-04 at 16:54)

²¹¹ Standing G (2014), *A Precariat Charter: From Denizens to Citizens*. Bloomsbury: London UK – This term was first used in England in the 13th Century to refer to people who were foreigners and had only limited rights in the places where they resided.

Aisha says, “*their situations have been getting from bad to worse to actually very bad so I think this is like the number one reason why they are homeless. Also the more you are out in the streets the easier it becomes to use drugs for feeling better for example*”

After months or years of homelessness some end up with severe mental and substance abuse problems; drugs and prostitution are coping mechanisms they use to deal with homelessness.

Aisha says: “*and as well like sex workers especially in young age it will be like using substances is more like what do you call it [självmedicinera] like you will be self-medicate just to try to get over what you are doing, so I see it more like as a coping strategy more than a choice actually*”

The undocumented migrants in the data who end up homeless display similar a combination of age, ethnicity, gender, nationality and migration status.²¹² The unaccompanied children from Morocco are arguably homeless because they have no ground for asylum. The unaccompanied children from Afghanistan are entitled to asylum but many will eventually become undocumented and homeless upon turning 18.²¹³

Aisha says: “*there is a lot of hopelessness in them. They came in the age of maybe 15 if the person came in 2015 so left their home countries when they were like maybe 12, and by the age of 10 they are not totally brainwashed, but they feel like unloved, unwanted. Plus everything that happened on the way here, and all the rejections that they have been facing here in Sweden. Then they become homeless*”

While conducting my fieldwork in Italy I met two young Muslim migrants from Africa who arrived in Italy as unaccompanied children four years ago; I met them in Piazza Maggiore (Bologna) last August. The Piazza was bustling with people and we bumped into each other by chance. After a brief introduction I learned that they were refugees going through the asylum system; I then told them about my research and they agreed to be interviewed. Our conversation lasted one and a half hours and because they did not want it to be recorded, I took notes instead.²¹⁴

Abass was three months away from his 19th birthday when we met. He fled to Europe because he needed treatment from Sickle Cell Disease (SCD)²¹⁵ which he could not get in Guinea-

²¹² Carastathis Anna (2016), *Intersectionality Origin, Contestations, Horizons*. University of Nebraska Press, Lincoln & London

²¹³ Ibid

²¹⁴ These words are from the fieldnotes I took that day while talking to Abass and Issa

²¹⁵ Sickle Cell Disease is a type of inherited blood disorder. A number of health problems may develop from it, such as pain attacks (known as 'sickle cell crisis'), anaemia, swelling in the hands and feet, bacterial

Bissau. Upon arrival he was granted humanitarian protection and entered a SPRAR centre in Bologna where he learned Italian, went to school, learned a trade and completed his reception process. When we met he had a three-year work contract as a waiter but unfortunately his residence permit will need renewal in just two years. Abass is a success story because he found a job, obtained a residence permit and more importantly he receives the medical treatment he needs. However, Abass worries because a successful renewal of his residence permit depends on him working full-time.

For most of his time in Italy Abass felt welcomed and even managed to make Italian friends among his age peers. However, since the time when Salvini's narratives about migrants became the focus of public debate, Abass' experience has been changing. Some of his Italian friends have since stopped talking to him and the atmosphere at his workplace has become heavier; while most of his colleagues remain friendly some have become openly racist and started speaking behind his back. Abass is often stopped and searched by the police without cause and some of his friends have experienced police brutality (picked up from the streets and found themselves beaten up in police custody).

When we met Issa had just turned 18. He left Mali because the people he lived with treated him badly. Issa spoke with a hushed tone of voice, his body language and demeanour fitted that of a person who had gone through a lot of hardship. He gave no specifics, but he did not know his parents. Upon arriving in Italy he was granted humanitarian protection and entered a SPRAR centre in Bologna; there he learned Italian, went to school and learned a trade (bricklayer). When we met he was still living in a SIPROIMI centre but had just started a six months apprenticeship as a bricklayer.²¹⁶ Like Abass, Issa worried about the future because his residence permit was dependent on him working full-time. Even though Issa did not share Abass' desire for further education he wanted to stay in Italy. During his time in Italy Issa had also made some Italian friends among his age peers, but since Salvini's narratives have become mainstream he had lost most of them. He was often stopped and searched by the police without cause and strangers in the street had occasionally verbally abused him. While we talked a police car drove through Piazza Maggiore and the agents in the car never stopped staring at us. Both Abass and Issa expected to be stopped and searched.

infections and stroke. Long-term pain may develop as people get older. The average life expectancy in the developed world is 40 to 60 years

²¹⁶ Upon turning 18 migrants in SIPROIMI centres can extend their stay for 6 months

This data suggest that migrants with Abass's or Issa's background characteristics are often construed as likely criminals (i.e. they are often stopped and searched by the police without cause).²¹⁷ As per the principles of Intersectionality it would seem that the combination of their age, gender, ethnicity and religion play a significant role in their day-to-day experience of discrimination. After all, they fit the profile given by Salvini's narratives: they are young, men, black and Muslims.²¹⁸ For some of them the lack of recognition and material resources is not just a consequence of marginalisation (and homelessness) but a conduit to it as well.²¹⁹

Under Law No.142/2015 all unaccompanied minors who had entered the SPRAR and CAS centres could, upon turning 18, have automatically entered the respective centres for adults if they had a residence permit. But the Salvini Law took away this automatic transition and made many migrants homeless overnight. When we met, Angelica was working in a SIPROIMI centre for unaccompanied minors in Reggio.

Angelica says: *"this Law has created a lot of insecurity. Some of the kids entered the centre when they were a few months away from their 18th birthdays and found themselves homeless overnight. They were on very good paths and out of a sudden it stopped. This is tragic because they are lost now. The stronger ones manage to find help through NGOs and survive but many are lost. You know Italy, you grew up here and you know that if you don't know people even Italians don't make it, can you imagine if you are black, young and don't speak the language?"*

Intersectionality is relevant here as it shows how being black, young and not knowing the language contribute to push these migrants toward marginalisation and homelessness. The notion that the Salvini Law brings more security is questioned by Angelica's comment.

Giuseppe has been working in reception centres for five years and was based at a SIPROIMI centre in Bologna. He seems to reaffirm Angelica's comment about the (in)security of Salvini Law.

Giuseppe says: *"it was a pity to see this happening. We had some very bright kids who came here to really make a difference for themselves and with very good intentions but who are now lost in God knows what kind of environments. You know erm when you are in the streets anything can happen, and*

²¹⁷ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK

²¹⁸ Carastathis Anna (2016), *Intersectionality Origin, Contestations, Horizons*. University of Nebraska Press, Lincoln & London

²¹⁹ Fraser Nancy (2008), *Scales of Justice Reimagining Political Space in a Globalizing World*. Polity Press, Cambridge UK

you probably do anything to survive. We had young people who needed psychological support and were getting it but now, who knows? this is definitely not helping anybody, Italians or foreigners”

Over the past four decades successive governments have implemented substantial cuts to the national health system (Italian NHS) budget. In 2018, Italy spent 8,8% of its GDP on its NHS, which was only 6,5% if considering just public investments.²²⁰ This was lower than the US (14,3%), Germany (9,5%), France (9,3%) and the UK (7,5%) but in line with the OECD (Organisation for Economic Co-Operation and Development) average.²²¹ Between 2010 and 2019, Italy cut 37 billion Euros from the NHS budget.²²² These cuts affected local hospitals and local doctor surgeries with a reduction of 46,000 staff of whom 8,000 were doctors and 13,000 were nurses.²²³ Because undocumented migrants and homeless people have no fixed abode, which is a necessary condition to register with a family doctor, health clinics managed by NGOs emerged to provide healthcare specifically to these groups.

Leonora who had been a nurse for 40 years and who works in one such clinic in Reggio says: *“if you are undocumented and without residence, we exist for these people. Many of these people don't even know we exist”*

The themes of lack of access to housing and lack of access to healthcare kept coming up in the data I collected in Italy; addiction and substance abuse problems seem to be linked to these two themes. Some of the undocumented migrants in my sample are affected by serious health problems and the only support they find is through NGOs.

Leonora says: *“we encounter a lot of chronic diseases such as TB, sexually transmitted diseases. Many young people who come here have issues with substance abuse, alcohol, heroine is coming back, and of course related psychiatric problems as you can imagine. Then we have many single women foreigners who come with kids and infants to get vaccines, diseases kids get such as measles if they had not been vaccinated in their Countries. Many African women with venereal diseases due to prostitution. Between the two clinics we see on average 250, 300 people every week”*

²²⁰ OECD (2018), Health Expenditure in Relation to GDP. Available at: <https://www.oecd-ilibrary.org/docserver/592ed0e4-en.pdf?expires=1586514938&id=id&accname=guest&checksum=17375129D4742101676CFC5B6C4A5564> (accessed on 2020-04-10 at 12:37)

²²¹ Ibid

²²² Corte dei Conti (2019), REFERTO AL PARLAMENTO SULLA GESTIONE FINANZIARIA DEI SERVIZI SANITARI REGIONALI. Available at <https://cdcpsporta01wa.azurewebsites.net/Download?id=03d77748-7297-4130-95aa-47ec6d8ee045> (accessed on 2020-04-10 at 12:38)

²²³ Ibid

When I met him Kapema was 27 and had been living in an apartment provided by an NGO for the previous six months.²²⁴ When he arrived in Italy in 2008 as an unaccompanied minor he was granted humanitarian protection for three years; after he turned 18 his application to renew it was rejected. Thanks to ‘*Avvocati di Strada*’ (Street Lawyers)²²⁵ Kapema recently managed to reopen his case and obtained humanitarian protection for two years. He had spent most of the 13 years he lived in Italy homeless and the effects were obvious to me; he was missing several front teeth, he looked several years beyond his age, he averted eye contact and he spoke with a hushed tone of voice.

Kapema says: *“it has been a terrible experience because I had two major problems. When I arrived as a minor I was put in a SPRAR and after they did not renew the contract I went sleeping in the streets. I am ashamed because of that “*

Upon leaving the SPRAR centre Kapema was owed a sum of money that would have paid for six months’ rent. However, he did not get it and was homeless.

Kapema says: *“first they told me they give me money to find house for six months. I did everything by myself. Then the money they give you is not for six months is 1,700 euros but they say 400 euros. I did not sign no I did not sign”*

Kapema refused a lower sum of money than the sum he was entitled to. In Cuneo, I spoke to Gianluca whose NGO is part of a larger cooperative called ‘*Rifugiati in Rete*’ (Refugees Online). Gianluca confirmed stories of unscrupulous people who manage to set up bogus reception centres (in this case a CAS centre) and to get government funding without providing any type of reception.²²⁶

Gianluca says: *“recently a ghost cooperative from Cuneo, called Caribù, has been investigated for allegedly defrauding the State of 1.3 million euros. It operated in Liguria but its HQ were in Cuneo. They invoiced double and said to be sending the kids to work in the fields and other places even though they were not there”*

²²⁴ The apartment was run by an organisation in Reggio that helped migrants and homeless people. It had a kitchen, two bedrooms and one bathroom and was shared by five migrants. It had running water, electricity and heating system but was quite old and in need of refurbishment. The walls had mould on them and the insulation from the outside was not great as windows and doors needed changing – from my fieldnotes and photos taken on 2019-08-07

²²⁵ This is an NGO made up of Lawyers who provides legal aid mostly to migrants (but also to whoever could not afford it otherwise). It became very prominent in Italy following Salvini Law

²²⁶ for a journalistic report (in Italian) on this story see: <https://www.cuneo24.it/2019/07/frode-milionaria-sui-migranti-nel-mirino-delle-fiamme-gialle-finta-coop-sociale-cuneese-35462/> (accessed on 2020-05-29 at 10:56)

The findings from the data about forced migration from outside the EU describe a reality where young (mostly) men from Muslim majority countries struggle to accessing basic rights such as housing, healthcare and employment. In reference to the three research questions outlined above and after having analysed the above research findings in the context of forced migration from outside the EU, I will now attempt to answer these questions.

How have migrants experienced the immigration policies and practices in Italy and Sweden?

The undocumented migrants in Italy and Sweden have experienced a good reception as unaccompanied minors: they learned the language, completed compulsory education and in some cases entered the labour market; in Sweden Maria explains *“they have often completed the gymnasium and they are integrated, and they speak Swedish. Many have lived in Swedish families where they have been treated well”*. However, as soon as they turned 18 many of them fell out of the reception systems through a series of rejections that in turn led them to homelessness; in Italy Angelica told me *“they were on very good paths and out of a sudden it stopped. This is tragic because they are lost now”* while Giuseppe added *“we had some very bright kids who came here to really make a difference for themselves and with very good intentions but who are now lost in God knows what kind of environments”*. Consequently, many felt lost, unwanted, rejected and in some cases have re-escaped to other countries only to find a similar reception, if not worse as in the case of one of Maria’s undocumented migrants who *“escaped to Italy because he was expelled from France and if he returned to Sweden he would have been detained and deported to Kabul; he has had a serious psychotic attack and we lost contact for nine days and then he ended up in a psychiatric hospital for three months”*. Even though immigration policies and practices guarantee good reception to unaccompanied minors, regrettably, they show limitations when the children become adult (undocumented) migrants.

In what ways has homelessness affected the migrants?

Many of the undocumented migrants in my data have been dealing with rejection since early childhood and the harsh conditions of homelessness affect them by worsening their already fragile psychological state, as Aisha explains *“is like the number one reason why they are homeless. Also the more you are out in the streets the easier it becomes to use drugs for feeling better for example”*. Having experienced so many instances of rejection, some of them feel lost and have little hope for the future; Aisha says *“there is a lot of hopelessness in them”*. Furthermore, long-term homelessness pushes some toward addiction and substance

abuse, Aisha says “*some have drug problems some they have psychological issues, and some fall into prostitution or have been involved as well in prostitution*”. Time and time again, women seem to be particularly vulnerable and in some cases have to prostitute themselves to find shelter.

How do migration and homelessness intersect in Italy and Sweden?

In Italy and Sweden, the undocumented migrants in my sample became homeless upon reaching the age of 18. Whereas unaccompanied minors from Afghanistan have better statistical chances of obtaining protection in Italy, Swedish NGOs can provide undocumented migrants with more comprehensive support due to Italy’s strict laws on helping undocumented migrants, as Maria explains “*however, my colleagues from my cooperative in Italy told me that without papers, even that he has applied for asylum, no one would help him not even priests because it is illegal*”. In both countries, the unaccompanied minors who obtained protection benefitted from a comprehensive reception system; however, upon reaching the age of 18 the same reception system rejects many individuals. The consequent homelessness limits their access to all aspects of healthcare and for those with pre-existing medical or psychological conditions the situation is aggravated further; Leonora sees this on a daily basis at the health clinic in Italy “*we encounter a lot of chronic diseases such as TB, sexually transmitted diseases. Many young people who come here have issues with substance abuse, alcohol, heroine is coming back, and of course related psychiatric problems as you can imagine*”. Finally, once the migrants have become undocumented and homeless their only source of support comes from NGOs.

7. Final Discussion and Conclusion

In this final chapter the three research questions I attempted to answer at the end of the Analysis Chapter are reviewed, interlinked and developed to address the aim of my thesis. Through the chosen theoretical perspectives, the methods of data selection and the empirical material, I seek to map the intersection of homelessness and migration in Europe by studying the paths and experiences taken by migrants who are homeless (or have been) in Italy or Sweden. By doing so I attempt to address the overarching aim of my thesis, which is to explore the links between homelessness and migration in Europe.

The EU has implemented laws designed to harmonise migration and safeguard the right to asylum:.

1. laws enhancing the free movement of people (which enables every EU citizen to travel, work and live in any EU country without special formalities) by enabling citizens to cross internal borders without being subjected to border checks; the Schengen Agreement.²²⁷
2. laws harmonising common minimum standards for asylum such as CEAS, the EU Agenda on Migration and the Refugees Convention and the Dublin Convention Regulation III.²²⁸

When I examined the impact these laws have on people by interviewing migrants, NGOs, professionals and caseworkers about their experiences dealing with them, I noticed some limitations. It is the process of studying these experiences that makes my thesis a socio-legal analysis which addresses issues of immigration procedures to claim protection, legal residency, access to housing, healthcare and employment.

Following Kimberlé Crenshaw's conceptualization of Intersectionality, I argued that different dimensions of power relations (including age, gender, ethnicity, sexuality, religion, social class, status and [dis]ability), which define people's position in society, can combine to create unique modes of discrimination that apply specifically to them. With reference to Fraser's work Scales of Justice and the principles of Recognition and Redistribution, I argued that in order to abolish severe inequalities between groups (and individuals) in society we need to recognise and accept their differences and redistribute wealth more equally. Fraser's work is also crucial because it goes beyond the scope of International Human Rights Law, which advocates and promotes access to certain inalienable rights (healthcare, education, work).

However, while International Law is interpreted differently within different national contexts, a considerable number of people in Europe today – many of them migrants – do not have secure access to healthcare, education and work.

²²⁷ European Commission (2020), Migration and Home Affairs – Schengen Area. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen_en (accessed on 2020-03-12 at 11:53)

²²⁸ Common European Asylum System (1999), European Commission – Migration and Home Affairs. Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en (accessed on 2020-03-02 at 11:17); EU Agenda on Migration (2015), European Commission - Migration and Home Affairs. Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf (accessed on 2020-04-15 at 15:15); Office of the Refugee Applications Commissioner – EU Dublin III Regulation. Available at: <http://www.orac.ie/website/orac/oracwebsite.nsf/page/eudublinIIIregulation-main-en> (accessed on 2020-03-12 at 12:29)

In reference to the first research question, the experience of the Romani people highlighted several problems embedded in immigration policies and practices. The case of the Romani women I encountered in the homeless shelter in Sweden is a further example of how being Romani migrants and women makes for a unique mode of discrimination that applies specifically to these women who often face discrimination within the group (where they must do chores for the men) and from outside the group because of being Romani people. By speaking to Emil and some of the staff at the homeless shelter I learned how it is often the municipalities that fail to recognise this group's needs, which is an important aspect of their homelessness. It is evident that incoming migrants depend on the civility of the receiving society and the quality of their reception for both shelter and healthcare and given the conditions and struggle of those whom I had the opportunity to follow I must question the effectiveness of the immigration policies and practices that are in place in both Italy and Sweden.

In reference to the second research question, professionals and NGOs who work with this group find that homelessness exacerbates already present long-term problems with substance abuse (alcohol/amphetamines) and mental illnesses. Lack of recognition and the consequent lack of material resources place the Romani women in a particularly vulnerable position, pushing some of them into prostitution, as I learned by speaking to Emil, Aisha and Leonora. In Italy, Romani women face similar problems. A long history of racialisation and discrimination contributes to making the Romani people's situation in Italy worse than in Sweden. Furthermore, Italian NGOs cannot provide undocumented migrants with shelter and can only reach out to them by bringing them food and advice.

In reference to the third research question, as soon as this group crosses borders most of its individuals become homeless and receive inadequate support from the municipalities. They rely exclusively on NGOs for shelter, for food and to access all aspects of healthcare (psychological, physical and dental) as I found out by speaking to Emil and Malin in Sweden and to Giovanni and Leonora in Italy. Stadsmissionen in Malmö provides those in need with a bag full of groceries every week, not to mention doctors and nurses few times per week. Giovanni's NGO support them by bringing them food while health clinics such as the one where Leonora works provide them with the much-needed healthcare. The ways in which homelessness and migration intersect in Europe is complex. For instance, it was a Romani man from Romania who took over from the Italian Mafia and drove four Syrian refugees (who were trying to reach Sweden) from Milan to Copenhagen.

In reference to the first research question, for the young men from Muslim majority countries in my sample, both Italy and Sweden have in place policies and practices for unaccompanied minors ensuring that each child be cared for in a family or in family home environments. Each individual child should in this way be provided with housing, education, healthcare in order to be able to live as an integral part of society. However, from my interviews I learned that many of the unaccompanied minors who arrived in Sweden between 2014 and 2016 had their asylum applications rejected upon turning 18. The data also suggest that characteristics other than age such as nationality, ethnicity, gender and religion contribute to further marginalisation even for those who are still protected by law, such as in the cases of Abass and Issa who are regularly stopped and searched by the police without cause and verbally abused by people while out on the streets in Bologna.

Unfortunately, the denial of asylum when reaching adulthood is just the first of a sequence of rejections that almost inevitably push the young individual towards homelessness. It is not uncommon for some to try to ‘re-escape’ and reach other EU countries in the hope of eventually finding acceptance. The reality is that this further migration rarely improves their circumstances as they often find a similar or worse situation in the country of arrival, where they may experience ‘social death’, hopelessness and further dismay as Maria witnessed about some undocumented migrants visiting her NGO. My thesis’s findings suggest that the immigration policies and practices of both Italy and Sweden have some limitations which make them resemble border controls policies rather than humanitarian ones, as argued in previous research.²²⁹ Some of the professionals who have worked with this group also confirmed that despite the success of reception programs for unaccompanied minors, undocumented migrants face many obstacles as Maria and Aisha witnessed in Sweden and Angelica and Giuseppe witnessed in Italy.

In reference to the second research question, the data suggest that homelessness exacerbates existing mental health conditions and pushes some towards addiction and substance abuse. Due to being very harsh on the individual long-term homelessness contributes to deteriorating mental health; it is known that those who have witnessed or experienced traumatic events

²²⁹ Torun Elsrud (2020), Resisting social death with dignity. The strategy of re-escaping among young asylum-seekers in the wake of Sweden’s sharpened asylum Laws. *European Journal of Social Work*. Available at: <https://doi.org/10.1080/13691457.2020.1719476> (accessed on 2020-03-10 at 11:30); Brunnberg, E., Borg, R-M., & Fridström, C. (2011) *Ensamkommande barn*. En forskningsöversikt [Unaccompanied minors: A research overview]. Lund: Studentlitteratur; Campesi G (2018), Seeking Asylum in Times of Crisis: Reception, Confinement, and Detention at Europe’s Southern Border. *Refugee Survey Quarterly*, Vol 37, 44-70

suffer with PTSD, anxiety, depression.²³⁰ Aisha, Maria, Malin and Leonora all witnessed the exacerbation of existing mental and physical problems after years of working with these groups. The findings of this study convey how long-term homelessness had detrimentally affected both Kapema and Youssef; while Kapema was perhaps more beaten down than Youssef, both seemed extremely tired and worn-out (physically and psychologically) by the constant stress coming from their lack of certainty about the future.

Most of the undocumented migrants I encountered in Sweden, and who had only recently become homeless, showed a strong desire for integration: they made a point of becoming fluent in the local language, they embraced the local cultures and were trying to find work. Unfortunately, only a few of them had full-time access to housing, healthcare, education and employment. Furthermore, when their experience of ‘social death’ becomes unbearable they may have severe psychotic episodes, as in the case of one of Maria’s NGO young man who, after several rejections, escaped to Italy and suffered a severe psychotic episode resulting in hospitalisation. The substance abuse which allows them to cope with the cold nights and the ugliness of their situation also becomes a contributing factor in making their marginalisation extreme.

Time and time again, complex power relations (including age, ethnicity, nationality, gender and religion) emerge to create unique modes of discrimination that apply specifically to these young (mostly) men from Muslim majority countries. The data also suggest that in the regions where hostility to undocumented migrants (and homeless people) is high, acceptance also becomes more difficult for those who are visibly foreign (young black Muslim men who have an accent just like Abass and Issa) despite still being protected by law and despite not being homeless. This hostility is often fuelled by stereotypes portraying migrants as potential criminals,²³¹ as Salvini reminded us at the start of my thesis.

In reference to the third research question, whether these young men stay where they are or try to re-escape, undocumented migrants’ overall care comes primarily from the NGOs, indicating that civil society has to step in to compensate for the migration policies’ and practices’ limitations. Maria’s NGO provides undocumented migrants with psychological support twice a week, accommodation and some money to buy food. Due to inconsistencies in

²³⁰ Bhugra D, Bhui K, Shan Wong S Y and Gilman S E (2018), *The Oxford Textbook of Public Mental Health*. Oxford University Press, UK

²³¹ Bhattacharyya G (2013), *Dangerous Brown Men: Exploiting Sex, Violence and Feminism in the War on Terror*. Zed Books Ltd, London UK.

immigration law between Italy and Sweden, while Italy offers unaccompanied minors from Afghanistan better statistical chances to obtain protection, Swedish NGOs can offer undocumented migrants with more comprehensive support. Maria described how her colleagues from a sister organisation in Italy (and Paris) are afraid to provide support to undocumented migrants for fear of criminalisation.

I mentioned earlier the rhetoric of some politicians and part of the media stressing the financial and social burdens placed upon the EU, all stemming from the increased ‘influx’ of migrants.²³² The EU is in crisis, the national resources of Member States are being stretched to their limits: longer waiting times at the doctor, longer queues when enrolling children at school and the collapse of the housing market.²³³

Perhaps this rhetoric ought to be better challenged. For example concerning the most sustained funding squeeze in its history for the Italian NHS; is it not because of these cuts that Leonora’s health clinic has to take care of 300 people every week? How about the fact the world richest 1% have now more than twice as much wealth as 6.9 billion people and inequality keeps increasing?²³⁴ Or what about the fact that there are 2,153 billionaires who have more wealth than 4.6 billion people? Or the fact that the 22 richest men in the world have more wealth than all the women in Africa?²³⁵ Isn’t rising global inequality perhaps the main cause of the problems that I addressed in this study?

Increasing global inequality has been the subject of a long-standing debate which will not be resolved anytime soon, and it is certainly not the premise of my thesis to answer it. However, research shows that for 11 different social and health problems (physical health, mental health, drug abuse, education, imprisonment, obesity, social mobility, trust and community life, violence, teenage pregnancies, and child well-being) the consequences are considerably

²³² For a journalistic discussion about migrants and national resources see: <https://www.theatlantic.com/international/archive/2016/02/welfare-state-refugees-europe/463272/> (accessed on 2020-05-28 at 11:23)

²³³ for a journalistic discussion on how some Italian politicians characterised the 2015 refugee crisis see: <https://theconversation.com/when-politicians-turn-immigration-into-a-crisis-they-hurt-their-own-people-128965> (accessed on 2020-05-28 at 11:39)

²³⁴ Oxfam International (2020), Five shocking facts about extreme global inequality and how to even it up. Available at: <https://www.oxfam.org/en/5-shocking-facts-about-extreme-global-inequality-and-how-even-it> (accessed on 2020-05-04 at 14:33)

²³⁵ Oxfam International (2020), World’s billionaires have more wealth than 4.6 billion people. Available at: <https://www.oxfam.org/en/press-releases/worlds-billionaires-have-more-wealth-46-billion-people> (accessed on 2020-05-04 at 15:37)

worse in more unequal societies, whether they be rich or poor.²³⁶ Perhaps law-makers ought to focus a little more on rising global inequality instead of immigration.

As I mentioned at the start of my thesis, social justice can be defined as a state of affairs in which benefits and burdens in society are evenly distributed, where the basic rights, liberties, and entitlements of individuals and groups are protected and where all human beings are treated with dignity by the authorities and their fellow citizens. In this sense access to ‘social’ justice respects the needs of each individual (and minority group) and ensures more than just access to the formalities of the legal system. Access to social justice thus involves access to housing, to all aspects of healthcare and to employment; this level of societal integration would arguably help the most underprivileged minorities (migrants, asylum seekers, the destitute) to exit homelessness. For both EU internal migration and forced migration from outside the EU, the research findings of my thesis suggest that law on its own cannot cover all needs; the principles of law ought to be incorporated better into national welfare systems and this can arguably be achieved only by better recognition of migrants’ needs and better redistribution of resources.

During my research I have focused on the geographical areas logistically most accessible to me (Sweden and Italy). In doing so, I have acquired enough information to provide a ‘reliable snapshot’ of how migration and homelessness intersect in Europe. Nevertheless, Sweden and Italy represent only a portion of the whole and I could not say whether a study of more European Countries wouldn’t have given an even more accurate and comprehensive picture of the issue. Some of the research participants in my study spent some time in other countries before reaching their destination; I made a point of asking how it did happen, for what reason those interviewed had chosen Italy or Sweden as their final destination, what factors took them on different routes and how the route taken had ultimately affected them. I endeavoured to answer most of these questions but I am sure that other researchers might be interested to provide even more answers.

I don’t know whether I was able to clarify to the reader the differences between my recollection of events and Salvini’s, but I hope to have shown that Salvini seems intent at exploiting difficult situations to create a narrative that can easily be accepted by a non-inquisitive society and used to his political advantage. Perhaps, those who migrate really do

²³⁶ Wilkinson R and Pickett K (2009), *The Spirit Level: Why Equality is Better for Everyone*. Bloomsbury Press: London

so to find more and better opportunities and not with the intention of raising hell. Finally, I wish to end the thesis with another, more optimistic quote taken from William Edward Burghardt Du Bois' seminal work *'The Souls of Black Folk'*. Du Bois was an African American sociologist, historian, civil rights activist, author and editor who lived in a highly segregated society.

He recounted his experience of being an 'other', the paradox of wanting to be American while being aware that there were two Americas but only the lesser one 'legally' accessible to him. This quote's sentiment is stark contrast to that of Salvini's quote and represents the struggle and hope against discrimination and inequality over the past century.

The Afterthought -

"... Let the ears of a guilty people tingle with truth, and seventy millions sigh for the righteousness which exalteth nations, in this drear day when human brotherhood is mockery and a snare. Thus in Thy good time may infinite reason turn the tangle straight, and these crooked marks on a fragile leaf be not indeed" **W.E.B. Du Bois, Atlanta, Ga., Feb. 1, 1903.**²³⁷

Word Count: 21,900

²³⁷ W.E.B. Du Bois (1903), *The Souls of Black Folk*. Atlanta, Ga, p.125

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APPENDIX 1

Interview Guide

Before the Interview

1. To thank for participation
2. To introduce the researcher
3. To introduce the study (purpose, terms & conditions, outcome, contacts)
4. To explain the interview procedure (audio recording, notes, stop at any time)
5. To get the consent form signed
6. To ask for any question, to answer the questions
7. To ask a couple of ice-breaking questions (weather/ hobbies)

Interview Questions

General information

1. Your gender
2. Your age
3. Your education (Bachelor, specialist, Master, PhD, doctorate, others)
4. Your specialisation
5. How long have you been doing this work/volunteering?

Experience and effect of immigration policies & practices (and homelessness)

6. Who are the people you support and why do they need your help?
7. What do you or your organisation do for them?

8. In which ways does a migrant obtain access to healthcare? (medical, psychological, dental etc.)
9. What is a migrant experience of the immigration laws? (EU internal and forced migration from outside)
10. What expectations does a migrant have on arrival?
11. Have, in your opinion, migrants expectations changed? If so, how?
12. How does a migrant experience and react to the Migration Agency or Social Services rejection?
13. How is the housing situation in your city? (shortage of houses/availability)
14. How is cooperation with the authorities (civil society)?
15. Is there anything else that you would like to say?

APPENDIX 2

Informed Consent Form

Study working title: The Intersection of Homelessness and Migration in Europe

Purpose of the study: to map the intersection of homelessness and migration in Europe by studying the paths taken by migrants who are or have been homeless in Italy or Sweden.

Researcher: Enrico Giansanti

Research Participant's name (initials): _____

Thank you for consenting to be interviewed for this research project. Ethical rules of academic research require that participants clearly agree to be interviewed and agree to release the content of such interviews. This consent form is being given to you to confirm that you understand the purpose of your participating the conditions of your contribution.

Please, read and understand the following ethical considerations before signing:

1. I confirm that I have been given a clear outline of the above study, that I have had the opportunity to ask questions and that I agree to take part.
2. I understand that my participation is voluntary and that I am free to withdraw it at any time without having to give reason.
3. I agree to the interview being audio recorded and accept that the researcher may take written notes.
4. The notes from the interview will be analysed by Enrico Giansanti.
5. Access to the interview notes will be limited to Enrico Giansanti, his supervisor and the academic personnel with whom Enrico Giansanti may consult as part of the research process.
6. Any summary of interview content or direct quotations from the interview will be anonymised so that research participants may not be identified; care will be taken to ensure that any information that may identify them is not released
7. If any change were to be required of the above conditions further clear approval from the research participants will be sought.

I understand the conditions stated above and agree to be interviewed.

I agree to be cited honestly if my name is not published and a pseudonym is used instead.

I agree that the researcher may publish documents that contain quotations by me.

_____ (signature/initials)

Place & date _____

Main researcher: Enrico Giansanti, Master Student at the Sociology of Law Department at Lund University. Email: en4056gi-s@student.lu.se

Supervisor: Martin Joormann, PhD Lecturer in Sociology of Law at Lund University. Email: martin.joormann@soclaw.lu.se