



***GYMNASIELAGEN:***

**"IT IS NICE THAT IT CAME,  
BUT IT IS A SHIT LAW"**

Experiences and Perspectives of People  
Affected by One of Sweden's Temporary  
Migration Laws

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## Abstract

In 2017 the Upper Secondary School Act [Hereafter *gymnasielag/en*] was adopted in Sweden and provided temporary residence permits and a chance of permanent residency to ‘unaccompanied refugee minors’ who previously had been denied asylum. This study includes voices of four young people who have managed to fulfil this journey from temporary permits to permanent. Moreover, three people who through various projects and organisations worked closely with youth included by the law, have been part of knowledge production. These voices serve as the base for this intersectional and feminist research by centring their situated knowledge, agency, experiences, and perspectives to understand how *gymnasielagen* has affected everyday life, work, and school. Additionally, possibilities and limitations within these contexts and which circumstances and conditions influence these will be illustrated. To grasp these voices, an activity-based focus group and individual interviews have been conducted. The findings demonstrate that experiences and perspectives of *gymnasielagen* are connected to concepts such as ‘liminal legality’, ‘deservability’, ‘continuum of deportation’, ‘bordering’, ‘governmentality’ and ‘legal violence’. Furthermore, the situated knowledges showcase how several limitations and opportunities exist within various contexts, such as everyday life, work, and school, which are likewise influenced by structural aspects connected to politics, neoliberalism and postcolonialism.

**Keywords:** gymnasielagen, limitations, possibilities, temporary residence permits, unaccompanied minors

**Nyckelord:** gymnasielagen, möjligheter, begränsningar, tillfälliga uppehållstillstånd, ensamkommande ungdomar

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# 1. Introduction

**Anonymous:** “When *gymnasielagen* came I got really happy actually. Because there is a chance to stay, but like, in other ways, the government had put many demands on us, demands that are very tough today. For example, one has to have full employment within six months and have finished school.”

**Haji:** “School is the only way to PUT [permanent residence permit]”

**Ali:** “You have so much stress to get that permanent residence permit and full employment, then for yourself, no mistake is acceptable.”

**Adam:** “This law, it has become a political game.”

Above descriptions somewhat summarize *gymnasielagen* - literally meaning ‘Upper Secondary School Act’ (hereafter *gymnasielag/en*). *Gymnasielagen* originally came to life in 2017 and provided a second chance to ‘unaccompanied refugee minors’<sup>1</sup> who previously had been denied asylum. The law granted the youth a temporary residency permit, which could be turned into a permanent residence permit (In Swedish: Permanent uppehållstillstånd [PUT]. Hereafter, PUT) based on two requirements. The first (1) is a need to graduate from upper secondary school. The second (2) is a demand to find a full-time, permanent job within six months after graduation (Beskow, 2020:23-24). This aligns with the mainstream of European refugee law today, in which full employment leads to PUT (Schultz, 2021:172). However, aforementioned voices merely showcase the tip of the iceberg and therefore we will henceforth dive deeper into the water to bring various experiences and perspectives of *gymnasielagen* to the surface.

To show the twists and turns, ups and downs and back-and-forth of *gymnasielagen*, this thesis will centre voices of people whom the law affected. We will listen to young people previously included by the law and made it from temporary to permanent stay. We will also listen to people who have worked in various organisations and projects to support young people included by *gymnasielagen*. By bringing these voices to the forefront, we can move beyond the single-narratives and stereotypical depictions that are often associated with ‘unaccompanied refugee minors’ (Djampour, 2018:27) and instead illustrate various lived experiences and perspectives from everyday life, work and school.

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<sup>1</sup> A problematization of the term ‘unaccompanied refugee minor’ and its alternative will be presented later on.

Gymnasielagen did not come about as a random act. Its premises trace back to 2015, when the so-called ‘refugee crisis’ occurred. During this time approximately 163 000 people applied for asylum, doubling the amount of 2014. Out of these 163 000 people, 70 384 were under the age of 18, and therefore considered children. Around half of these, 35 369, were ‘unaccompanied refugee minors’ (Statistiska Centralbyrån [SCB], 2016). This, according to the Swedish government, strained the refugee reception system and therefore a new interim legislation to significantly restrict asylum applications was implemented (Regeringskansliet, 2015). Hence, ‘Law (2016:752) concerning temporary restrictions on the granting of permanent residence permits for asylum seekers’ was adopted and replaced the Swedish Alien Act (SFS 2005:716). Moreover, several of the ‘unaccompanied’ youth who arrived in Sweden during this time were considered to lack grounds for asylum and were denied legal stay. However, civil society soon raised their voices to make visible the unsafe and unstable living conditions this encompassed (Beskow, 2020:12). Therefore, the Swedish government implemented *gymnasielagen* in 2017 as an addendum to the new interim legislation (Beskow, 2020:12). Nonetheless, *gymnasielagen* adopted in 2017 did not include youth who applied for asylum in Sweden before the 24<sup>th</sup> of November 2015. Instead, they were still included in the Alien Act (SFS 2005:716). However, long processing times at the Swedish migration agency led to the situation in which minors turned 18, while waiting for their asylum application to be processed. Thus, in 2018, a law change occurred to *gymnasielagen* to include minors who applied for asylum before the 24<sup>th</sup> of November. This resulted in ‘*Nya gymnasielagen*’<sup>2</sup>, or ‘New Upper Secondary School Act’ (Beskow, 2020:23-24).

It is this described context that somewhat started the journey of writing this paper. As a citizen in Sweden, it was hard not to be influenced by the amount of people crossing Swedish borders, hoping to find a better life than the one they left behind. I, as well as many others, felt empathy and solidarity with these people entering Sweden. Within this context, the minors were firstly met with support and help as civil society organised to offer housing, clothing and food. However, when the narrative of ‘crisis’ gained ground in the debate, the support quickly decreased (Wernesjö, 2020:389). Nevertheless, some parts of Swedish civil society stood ground. They mobilised by starting organisations and other projects to help the youth in their journey of temporality to find the necessary job. The valuable knowledge and perspectives found among these individuals who follow along on the journey to permanent residency should

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<sup>2</sup> The youth who participate in this study have all been included by *gymnasielagen*, the earlier or the latter version, therefore, the term ‘*gymnasielagen*’ will be utilized to reference to the law.

not go unnoticed. Therefore, perspectives and voices of people active in organisations or projects to support the youth will also be a part of this studies knowledge production.

Finally, to add myself into the mix, I have followed the situation of ‘unaccompanied minors’ in particular during the last years. I listened to debates, read books and reports, and watched social media becoming filled with different narratives and perspectives of the present. While some illustrations bring forward lived realities, more than often, racist and stereotypical depictions are present in the debate (Djampour, 2019:27). Therefore, to somewhat challenge one-dimensionality, this study is constituted on an intersectional feminist notion, where lived experiences, agency and situated knowledge of those the law has affected, lays the fundament of knowledge production. Hence, this thesis strives to be some form of counter-narrative to the hegemonic discourse. In this process, experiences and perspectives will be analysed in connection to broader societal structures of postcolonialism and neoliberalism.

### 1.1. Purpose and research questions

To bridge contemporary society with research I now wish to present the specificities of this study. First and foremost, this study derives from a feminist standpoint view that knowledge originates from lived realities. However, since the implementation of *gymnasielagen* is fairly recent, few studies have yet included experiences of those that have gone from temporary to permanent residence permits. Likewise, perspectives of people who have worked closely with the youth have lacked. Hence, this study will centre the situated knowledge present in experiences and perspectives of people affected by *gymnasielagen*. Therefore, the purpose of this study is to understand how *gymnasielagen* with its encompassed temporary permits, affects everyday life, school, and work and to identify possibilities and limitations within these contexts leading to permanent residency. Furthermore, this study aims to highlight circumstances and conditions which influence and shape these possibilities and limitations. To reach this aforementioned aim, the following research questions will be explored:

- What are the experiences, views and perspectives of people that have been affected by *gymnasielagen*?
  - o How do opportunities and limitations exist in everyday life, school, and work as a consequence of *gymnasielagen*?
  - o Which circumstances and conditions shape the opportunities and limitations within these contexts?

## 2. An introductory background

In the following part an extensive background to Swedish migration laws and policies will be given, followed up by a problematization of the term ‘refugee crisis’. Finally, an alternative to the terminological use of ‘unaccompanied refugee minor’ will be presented.

### 2.1. Swedish migration laws and politics

Sweden has traditionally been perceived as a nation that fights for human rights and having open borders, that welcome refugees (Dahlstedt & Neergard, 2016:2). However, this self-image should not be taken as the truth. Instead, Sweden has a racist and colonial history that still affects society until this day (Djampour, 2018:47), becoming particularly apparent in the depictions of migrants as a ‘threat’ to the nation (Teschfahoney, 2001:193). For instance, in 2015 discourses of ‘mass-migration’ and the migrant ‘threat’ increasingly flourished in the debate, resulting in what now commonly is known as the ‘refugee crisis’ (Schierup, Ålund & Neergard, 2017:12).

This influx of migrants in 2015 significantly increased the number of asylum applications and quickly changed the playfield of the Swedish migration agency (Regeringskansliet, 2015). They were now, according to the Swedish Government, struggling to keep up. Simultaneously, a change of discourse occurred in the social and political debate, mainly led by the neo-conservative nationalist party the Sweden Democrats. Sweden now increasingly saw refugees as a problem that needed to be stopped at the border. Although, anti-immigrant sentiments have been present in Swedish society for a long time, the ‘refugee crisis’ represents how it was turned into law. Thus, the government decided to implement more restrictive asylum and migration laws (Östman, 2019:116). Therefore, an interim change in the Swedish Alien Act (SFS 2005:716) occurred. This encompassed temporary residence permits lasting for a maximum of three years, as presented in ‘Law (SFS 2016:752) concerning temporary restrictions on the granting of permanent residence permits for asylum seekers.’ Consequently, this deprived asylum seekers of the possibility to immediately receive PUT. Additionally, receiving PUT and family reunification was now linked to economic self-sufficiency (Dahlstedt & Neergard, 2016:12; Beskow, 2020:11). While this interim legislation was suggested to be valid until 2019, it is still the one in power at the time of writing, in spring 2021.



But how did the Swedish Government and in particular the state minister Stefan Löfven who previously at a ‘Refugees Welcome’ manifestation expressed “My Europe does not build walls” (My translation. Svensson, Forsberg & Hagberg, 2015 6 September) explain this change? The government justified their decision as a way to enable a “breathing space” for the Swedish refugee reception system (Regeringskansliet, 2015). An infamous explanation which received critique from the political sphere, various organisations, agencies, and civil society - criticism which highlighted the new temporary laws inhumanity, lack of consideration regarding children’s rights and being counterproductive, instead, leading to more work for Swedish agencies (Ljungberg, 2015 28 December; Svensson, 2016 16 March). Thus, starting with the so-called ‘refugee crisis’, Sweden once again implemented increasingly restrictive migration policies. Nevertheless, whether the refugees were the reason behind the crisis or whether it was a crisis of something else, is discussed below.

## 2.2. Questioning a ‘refugee crisis’

In 2015 the so-called ‘refugee crisis’ was widely present in Europe, both in media and politics. While people were fleeing from war and mass violence, resulting in thousands of lives lost on the Mediterranean Sea when making their way to Europe, European countries did not try to find a solution. Instead, they made unilateral panic decisions in which policies were altered based on domestic politics, preventing a collective solution (Betts & Collier, 2017:2). This led to the implementation of the interim law SFS (2016:752) as a ‘restriction filter’ on the original Swedish Alien Act (2005:716) (Hedlund, 2018:62). However, labelling it a ‘refugee crisis’ should not be left without critique. Numerous scholars have brought forward various criticisms of this depiction. For instance, Dahlstedt and Neergard (2016:12) name the same crisis a ‘crisis of solidarity’, where multiculturalism, solidary actions based on human rights and open borders for refugees are evaporating. Instead, neoliberal policies and interim legislations, that exclude the migrant ‘other’ have taken their place. Schierup and colleagues (2017:12) share this view of a ‘crisis of solidarity’, that turns migrants and refugees into the scapegoats and menace to a failing welfare state which previously was supported by social solidarity (Schierup et al, 2017:12,14). Furthermore, the governmental narration of the ‘refugee crisis’ is likewise contested by Skodo (2020:52) who emphasises that the governmental portrayal of the crisis threatening Swedish bureaucracy and sovereignty, was not mutually shared by municipalities. Hence, this crisis should rather be viewed as an institutional crisis than one of refugees (Abdelhady, Gren & Joormann, 2020:19). Thus, the ‘refugee crisis’ is not *the* crisis per se, instead, it is utilised to hide the actual crisis of a liberal political system, where colonial and

racial histories, as Djampour (2018:278) argues, have shaped its presence simultaneously as the consequences of these histories are denied. This study is therefore situated within this critical discourse contesting a ‘refugee crisis’, acknowledging that is not a crisis of refugees entering European and Swedish territory. Instead, the crisis itself is a consequence of a postcolonial society, which does not acknowledge its colonial aftermath. Simultaneously, a proceeding neoliberalisation of the Swedish state, in which a “breathing space” for the refugee reception system is the reasoning behind closed borders and temporary residence permits, generates an increasingly refugee-unfriendly and un-solidary Sweden.

### 2.3. An unaccompanied refugee minor and an alternative terminology

Moving beyond the discourse and context surrounding the ‘refugee crisis’, a definition of ‘unaccompanied child’ should be presented. United Nations High Commissioner for Refugees (hereafter, UNHCR) defines an unaccompanied child as follows:

“An unaccompanied child is a person who is under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so.” (UNHCR, 1997:1).

This does not necessarily mean that children arrive in Sweden alone, sometimes they are accompanied by siblings, friends or adults they met during the migration. The central aspect of the definition is, nonetheless, that a parent or legal guardian is not present in the country of arrival (Hedlund, 2018:18).

However, using the categorization of unaccompanied child/unaccompanied refugee minor’ should not be unproblematic. On the one hand, encompassed with being categorized as an ‘unaccompanied refugee minor’ is the opportunity of receiving a residence permit, since they are a child in need of protection. On the other hand, it likewise encompasses a homogenisation shaped in the social meeting with people, society and institutions that is hard to be separated from (Herz & Lalander, 2020:60). These ‘unaccompanied children’ are not depicted as having dreams and hopes, like other children, instead, they are frequently associated with single stories and are consequently reduced to stereotypes and merely being a ‘migrant’ (Wernesjö, 2014:13; Djampour, 2018:27). This in particular affects young ‘unaccompanied’ boys who are portrayed as having a ‘problematic masculinity’ and are frequently met with suspicion (Wernesjö, 2020:389). Moreover, it is a legal category that is static and stigmatising and thus overlooks the

situational origins of being ‘unaccompanied’ (Djampour, 2018:40). Therefore, to move beyond singularities and one-dimensionality, this study is built upon feminist research, to highlight the various experiences, opinions and perspectives that are present and surround youth who once arrived in Sweden as an ‘unaccompanied refugee minor’.

Within the process of creating feminist work, the terminology used becomes of importance. Thus, I went back to get inspired from other scholars who I view to share this feminist starting point. Therefore, I have drawn inspiration from Djampours (2018) dissertation who involves the experiences of people who once have been categorized as ‘unaccompanied’ and will based on her suggestion use the term ‘unaccompaniedness’. This term, she argues, can be utilized to demonstrate the social construct of the category ‘unaccompanied’ and to describe the experiences of individuals who have been included in this category (Djampour, 2018:54). With this, I hope, that this study can move beyond single narratives, stereotypical and legal based notions associated with the category of ‘unaccompanied’ and instead bring forward the realities present in everyday lives of those who have lived experiences of ‘unaccompaniedness’ and *gymnasielagen*.

### 3. Previous research

In the upcoming sections previous research will be presented. Firstly, a focus on contemporary migration laws, internationally and in Sweden, and how the new mainstream of temporary permits impact migrants will be presented. Thereafter, the focus will move to experiences of unaccompaniedness in a Swedish setting, before finally centring on the ambivalence between agency and limitations.

#### 3.1. Migration laws and temporality.

This study places itself within feminist research. Therefore, it strives to move beyond one-dimensionality frequently associated with youth with experiences of unaccompaniedness and to show the complexity and various experiences existing concerning *gymnasielagen*. The complexity and experiences will be attained by bringing forward the participants, as Haraway (1988:590) calls it: situated knowledge. Furthermore, studies are increasingly considering people with experiences of unaccompaniedness to be active agents with narratives in their own contexts (Stretmo, 2014:43). However, few studies have so far developed on *gymnasielagen's* consequences, experiences, or perspectives of those it affects. Nonetheless, a study by Wernesjö (2019:192) emphasises that social workers experience insecurity regarding the effects of *gymnasielagen* and how it is being applied. Though it does not highlight the situated knowledge and lived experiences of *gymnasielagen* by those it has affected the most, the study by Wernesjö (2019) does demonstrate the views of social workers. This reflects a general trend regarding Swedish studies involving experiences of unaccompaniedness, since a majority originate in the field of 'social work' (see e.g., Wernesjö 2014; Djampour 2018; Östman 2019). Although previous studies from the field of 'social work' do give valuable insight into the lives of people with experiences of unaccompaniedness, these do not illustrate situated knowledge about *gymnasielagen*.

Based on feminist notions that knowledge is produced by situated perspectives and experiences, it is valuable to present voices of those *gymnasielagen* affected. However, since these studies are scarce, inspiration will instead be drawn from existing research that highlight how migration laws affect lived realities. For instance, Menjívar and Abrego (2012:1414) present the term 'legal violence' to explain how migration laws encompass harmful effects on a particular group who share certain social characteristics. By bringing forward experiences of migrants in the US the authors illustrate law effects, such as hindered integration, blocked upward mobility and

labour exploitation (ibid.). Furthermore, to understand how *gymnasielagen*'s temporary permits potentially affect the youth, we will now dive deeper into studies that have covered the effects of temporality.

Temporary residence permits, as Schultz (2021:170) emphasises, have become the new norm. A temporary residence permit is a representation of legal status in between since the migrant is neither documented nor undocumented. This condition of temporality is what Menjívar (2006:1008) calls 'liminal legality'. *Gymnasielagen* entails this state, and it, therefore, becomes of interest to highlight the participant's perspectives and experiences of it. However, it is first and foremost of value to learn from previous studies which have covered liminal legality, and its entailed effects and experiences. Therefore, reconnecting to Menjívar's (ibid.) study, liminal legality affects belonging and assimilation. For instance, human capital attained through higher education is limited. Lack of resources exist, consequently, migrants become more reliant on people and social institutions that simultaneously act as support (Menjívar, 2006:1024). However, within these limitations, agency is likewise present. The study demonstrates how migrants actively conform and adjust to laws based on what is inherent within them. In this manner, migrants aim to obtain justice (Menjívar, 2006:1032). Furthermore, the participants in Farcy and Smit's (2019:643) study also adapt to migration law, by using it instrumentally according to their interests, showcasing how they by utilizing knowledge about legal frameworks and other non-legal resources, become agents in their own lives. Moreover, Farcy and Smit (2019:639) use the concept of liminal legality to bring forward experiences found within this state of being, illustrating how migrants experience an increase of uncertainty that influences everyday life. Further, a study by Menjívar and Lakhani (2016:1820) indicates that migrants change their behaviours and mindsets since they are in a state of liminal legality where permanent residency is given based on one's contribution to society. In this process, they internalize 'deservability', which means that they adapt actions based on what makes them deserve PUT (ibid.). Interested in these various experiences present while being in a state of liminal legality, this study aims to show how and if similar depictions are present in the lives of the participants who have been affected by *gymnasielagen*.

### **3.1.1. Temporary permits and the labour market**

The increase of temporary permits encompasses that PUT is given based on a migrant's ability to find employment and adjust to labour market needs (Sager & Öberg, 2016:11), which corresponds with *gymnasielagen*. Therefore, to grasp and make sense of the situated

knowledge, experiences, and perspectives of the participants in this study, it is of importance to have a further understanding of how temporary permits with demands of a job to obtain permanent residency, affects migrants. Previous research covering this has been conducted by Hallett (2014:623), emphasising a connection between temporary permits and neoliberalism, generating requirements for joining the labour market. In this process, a segregated labour market is constructed, based on legal, social, and racial hierarchies (Hallett, 2014:624). The role of neoliberalism is also accentuated by Chauvin, Garcés-Mascareñas and Kraler (2013:119), pointing out that refugees are no longer judged based on their vulnerability. Instead, it is employment that determines if they receive a permit or not. Thus, only those who support themselves and therefore not facilitate public charge, are granted the legal right to stay (Chauvin et al, 2013:120). This falls into the neoliberal logic of ‘deservability’, where full-employment and self-sufficiency becomes the determinant of who deserves to stay and who does not (Chauvin et al, 2013:127). Furthermore, since I find similarities between these studies and *gymnasielagen*’s requirement of full employment to be granted PUT, they are considered valuable to give further insight into the experiences voiced by the participants.

### 3.2. Experiences of unaccompaniedness within a Swedish setting

Several disciplines, such as social work, public health and youth and child studies have focused on experiences of unaccompaniedness by putting their gaze on various everyday aspects present in the lives of the youth in Sweden (see e.g. Eriksson, Wimelius & Ghazinour, 2018; Klöfvermark & Manhica, 2019; Darvishpour et al, 2019). These studies are not necessarily self-categorised as feminist research; however, they do align with this discipline by demonstrating situated experiences from a Swedish context. For instance, by moving beyond one category and implementing an intersectional approach (see eg. Wernesjö 2014; Djampour, 2018; Stretmo 2014; Ekström 2019; Darvishpour & Månsson, 2019) they highlight complexities, varieties but likewise similarities. Thus, to continue on this line and develop a broader understanding of perspectives held by participants in this study, we will now focus on research concerning people with experiences of unaccompaniedness in a Swedish context.

In the Swedish setting, social networks and contacts are brought forward as important elements for establishment (Eriksson et al, 2018:274; Klöfvermark & Manhica, 2019:44; Darvishpour et al, 2019:78). Especially networks with legal guardians, professional carers, and friends are valuable (Eriksson et al, 2018:397). Regarding social relationships, people with similar ethnic backgrounds as the youth are important (Eriksson et al, 2018:381). Nevertheless, a network

with people viewed as ‘Swedish’ is also presented to be a resourceful factor for integration, friendships, and language training (Stretmo & Melander, 2013:12; Eriksson et al, 2018:388;390; Hagström, 2019:140). Managing to generate a network with ‘Swedes’ entails ‘bridging social capital’, potentially entailing access to external information that for instance is helpful for the youth in the pursuit of a job (Eriksson et al, 2018:376). However, building these relationships is easier said than done. Many of the participants in various studies highlight the difficulties of creating relations with people categorized as ‘Swedish’ (Wernesjö, 2015:459; Eriksson et al, 2018:383; Östman, 2019:169). Wernesjö (2015:461;463) emphasises that this creates belonging and inclusion as something conditional, upheld by ‘swedes’, being a stable part of the collective. Simultaneously, feelings of belonging and inclusion are likewise disturbed by racism, where it is hard for the youth to move away from their position as a stranger (Wernesjö, 2015:460). These experiences show an ‘us’ and ‘them’ dichotomy, where those categorized as ‘Swedes’ belong to a majority ‘us’ and those considered to be ‘immigrants’ become ‘them’ (Wernesjö, 2015:462). The themes of this previous research concerning experiences of inclusion and exclusion, how bridges have been crossed and the importance of creating social networks will be explored concerning *gymnasielagen* in the analysis.

Furthermore, since one of *gymnasielagen*’s requirements entails finishing upper secondary school, experiences within this context must be emphasised. Previous studies including this context highlight that school is an important place to orientate oneself in a new country, creating safety, coherency and structure in everyday life (Hagström, 2019:141). School likewise becomes advantageous in a situation with an uncertain future, making it meaningful and manageable (Jahanmahan, Darvishpour & Månsson, 2019:86). Moreover, people from civil society are equally a part of this study and they, according to Darvishpour and colleagues, (2019:126) play a central role in developing social relations and safety for the youth.

### 3.3. Agency and limitations in everyday life

Within everyday contexts, such as school and work, both agency and limitations can be found. Central within feminist research is to bring forward experiences of this ambivalence where agency exists within contexts of vulnerability, containing structural and societal oppression (Leavy & Harris, 2019:78-79). However, as Wernesjö (2012:505) argues, studies exist that tend to portray migrants, refugees, and people with experiences of ‘unaccompaniedness’ as vulnerable and lacking agency. Meaning, lacking the ability to act independently and make their own choices, because of, for example, social and political structures (Wernesjö, 2013:31).

While research so far merely dove into *gymnasielagen*'s impacts on everyday life, several studies did however manage to capture the voices and expressions of agency of those who are or once have been categorized as 'unaccompanied minors' (see e.g. Djampour, 2018; Darvishpour et al, 2019). For instance, Ní Raghallaigh and Gilligan (2010:227) explore agency and resilience by studying various coping mechanisms found in the lives of unaccompanied minors in Ireland. Their research demonstrates several mechanisms and strategies, utilized and adapted based on individual and unique past and presents and social circumstances (Ní Raghallaigh & Gilligan, 2010:233). However, merely portraying them as resilient and active agents is over-simplistic, therefore, Ní Raghallaigh and Gilligan (ibid.) and Wernesjö (2014:11), all argue that in the lives of a majority of people with experiences of unaccompaniedness and migration, both agency and vulnerability is apparent. A study that included both agency and restrictions among people with experiences of unaccompaniedness in Sweden, was executed by Djampour (2018). She brings forward multiple stories involving unaccompaniedness and the impact of borders and how the crossing of these borders in everyday life is navigated and experienced by the participants. This comprehends how agencies are enacted and restricted while also emphasising how resistance towards borders are visible during various stages of life (Djampour, 2018:273), illustrating how a site of struggle likewise includes agency, showcasing its ambivalence. How this expresses itself in a state of liminal legality, where intersectional experiences are influenced by neoliberal, postcolonial and governmental structures will be explored in the analysis. Nevertheless, these aspects must first be explained from a theoretical view.



## 4. Theoretical Framework

This theoretical framework consists of two main parts. The first one focuses on neoliberalism, migration, and its connections to the labour market. The second part is centred around postcolonialism, ‘Fortress Europe’, borders, ‘bordering’ and the importance of intersectionality to grasp these realities.

### 4.1. From global to local – migration in the world and Sweden

To further understand migration, we must place it in the neoliberal world order of today (Dahlstedt & Tesafuney, 2004:58). Therefore, in the upcoming chapter, migration and neoliberalism will be connected to the labour market. Finally, it will be highlighted how these structures are linked to migration laws and temporary permits.

#### 4.1.1. Migration in a neoliberal global world

To start this theoretical discussion, it is important to acknowledge that the participant's experiences and perspectives are affected by larger societal structures present in the world, where one of the main forces existing as of today is neoliberal globalised capitalism (Yuval-Davis, Wemyss & Cassidy, 2019:63). In neoliberalism, the market aims to rule and influence everything (Yuval-Davis et al, 2019:10-11). Not merely marketized goods, but also other aspects of society are commodified into the market, such as the state, education, bodies, and animals (Dahlstedt & Tesfahuney, 2004:59; Yuval-Davis et al, 2019:11). Furthermore, one of neoliberalism's main tools is globalization. Enabling mass movements of finances, goods and people while simultaneously destabilising global, regional, and local social and political relations. Neoliberal globalization embraces goods and capital, where investments and trade flow freely with few restrictions, while people increasingly still face both physical and imagined borders (Dahlstedt & Tesfahuney, 2004:55; Yuval-Davis et al, 2019:46). Simultaneously, while migration is uncomplicated for the privileged few, mainly from the global North, who have easy access to citizenship, visas, and passports (Yuval-Davis, 2019:13), others instead face securitization, barbed wire fences and closed borders when trying to enter Europe (Schierup et al, 2017:10). The latter being the context facing people with experiences of unaccompaniedness when making their way to Sweden.

#### 4.1.2. Migrants on the labour market and deserving the right to stay

The 1970s were the starting point for transforming Swedish welfare, going from a model inspired by Keynesian ideas to one increasingly influenced by neoliberalism. Regarding welfare and work, this resulted in several fundamental shifts that influence how *gymnasielagen*'s youth manage themselves in the labour market. For instance, unemployment is now considered to be caused by a lack of qualifications, where 'full employability' replaces 'full employment' (Schierup et al, 2017:21). This neoliberal meritocratic view where employment is considered to be based on merits (Behtoui, 2006:138) overlooks power structures, norms and institutional aspects influencing the youth's possibilities to land a job (de los Reyes & Kamali, 2005:8; Rätzzel, 2006:129). Additionally, the young people included by *gymnasielagen* have to find a job in a neoliberal context where permanent jobs are turned into temporary ones. Making it increasingly difficult for migrants to access full employment, thus steering them to the margins of the labour market (Schierup & Scarpa, 2017:73). Moreover, this gets reinforced by established hierarchies, where class, ethnicity, gender, and citizenship influence their positions in the Swedish labour market. Not merely making it difficult to obtain a job, but when migrants succeed, it is frequently in the form of low salary, long working hours, and uncertain working conditions (de los Reyes & Kamali, 2005:8; Dahlstedt & Tesfahuney, 2004:63), which highlights inequalities that face people with experiences of unaccompaniedness on the Swedish labour market today.

The shift to a neoliberal society with its encompassed reorganisation of the Swedish welfare state came with a turn to viewing migrants as economic resources (Djampour, 2018:53), not only influencing discourses regarding migration but likewise migration policies and legislations. This becomes apparent in *gymnasielagen*, where a job is a requirement to obtain PUT. Clearly stated by Sweden's migration minister, Morgan Johansson, who in a recent interview regarding *gymnasielagen* said: "The demand is that you should study and then work your way into Swedish society." (My translation. Färnbo, 2020 24 November). Thus, the legislation's centrality on temporary residence permits creates a situation where migrants are forced into the labour market as a means to obtain PUT (Dahlstedt & Neergaard, 2016:12; Wernesjö, 2020:391). Employment marks the young people as 'good migrants', since a job portrays them as hard-working people with a good work ethic while they contribute to the labour market (Anderson, 2015:50). This development produces a troubling reality - residence permits are no longer given based on asylum or human rights, but instead on the question: 'What can this migrant do for the Swedish economy?' (Djampour, 2018:52).

When fulfilling the demands of *gymnasielagen*, the young people obtain access to permanent stay which encompasses certain welfare rights (Shutes, 2015:60), highlighting how they become deserving of protection and care by reaching these terms (Wernesjö, 2020:391). This is what Chauvin and Garcés-Mascareñas (2014:427) name ‘performance-based deservingness’ and ‘employment-based deservingness’, where the first implies that the youth need to be performing students and the latter emphasising the need for a full-time job to obtain PUT (Chauvin and Garcés-Mascareñas, 2014:427-428). This falls into the pattern of neoliberalism, where migrants’ employment and self-efficiency are considered civic duties, and likewise the determinators of permanent stay (Chauvin et al, 2013:127). However, this risks homogenising migrants, based on numbers centred around contribution to the economy, making the labour market the determinant of migrants as wanted or unwanted, with rights or without rights (Anderson, 2013:69). In summary, neoliberalism generates a reality where contributions to the labour market determine migrants ‘deservability’ to stay in Sweden. How this is experienced by the youth participating in this study will be demonstrated in the upcoming analysis.

#### **4.1.3. Governmentality and liminal legality**

To understand the implications of *gymnasielagen*, Foucault’s (1991:95) concept of governmentality becomes useful. He argues that laws are implemented as tactics in the means for governments to reach certain goals. Thus, migration laws become a tool to control immigrant populations (Menjívar & Lakhani, 2016:1827). Nevertheless, governing by laws does not merely encompass what Foucault (1993:203) names ‘techniques of domination’, which are utilized to impose wills on individuals, submit them to specific objective ends, or determine their conduct. Governing likewise encompasses ‘techniques of the self’ which are techniques used by individuals by their own means to affect their personal thoughts, bodies or souls in a transformational manner to reach certain goals and states (ibid.). By using these non-coercive aspects of laws, states can exert their power over immigrants (Menjívar & Lakhani, 2016:1827). Thus, by using *gymnasielagen* Sweden aims to influence the behaviour of people with experiences of unaccompaniedness. Governing in this manner implicates that the state will reward migrants with legal status if they follow the law’s requirements (ibid.). Moreover, this equilibrium between ‘techniques of the self’ and ‘techniques of domination’ highlights how governing encompasses techniques of coercion, self-construction, and modification (Foucault, 1993:204). However, this process also involves a legal consciousness, where a law is instrumentally utilized to adapt to interests. This entails knowledge both about *gymnasielagen*’s legal framework and the employment of non-legal resources, in the purpose of reaching a goal.

In this process, strategies are created by migrants, thus developing ways to be agents in their state of temporality (Farcy & Smit, 2019:643). However, as an effect of migration laws, Menjívar and Abrego (2012:1832) argue that ‘legal violence’ occurs, in which migrants in various ways are subjected to harmful and vulnerable situations.

Furthermore, temporary permits have become the new mainstream of refugee laws (Schultz, 2021:172), where *gymnasielagen* signifies this development. Therefore, Menjívares (2006:1008) concept of ‘liminal legality’ is useful to capture temporality and the youth’s experiences while being in this state. It enables an opportunity to demonstrate how a legal status is not necessarily linear, where migrants go from undocumented to documented, instead, the end of a temporary permit may result in an undocumented status (ibid.). Consequently, temporary permits are accompanied by a lack of security and stability to plan ahead, since deportation might occur in the future (Schultz, 2021:170). This threat of deportation, while not always being present in an immediate sense, is what Sager and Öberg (2016:6) name a ‘continuum of deportability’. The threat of deportation that is present due to *gymnasielagen*, until full employment is attained, indicates a ‘continuum of deportability’. Simultaneously, migrants and refugees become increasingly dependent on their employers, which opens up an increased risk of exploitation in the labour market (ibid.). Finally, the effects of liminal legality generated by *gymnasielagen* will become evident by listening to the perspectives of those who have worked closely with the youth regarding the Swedish labour market, as well as the youths’ own experiences.

## 4.2. Postcolonial realities, Fortress Europe, and borders

In this section postcolonial theory will be presented, to highlight colonial aftermaths that influence the Swedish labour market. Additionally, the concept of ‘orientalism’ will be explained. Finally, we will enter ‘Fortress Europe’ and discover its encompassed ‘bordering’ processes.

### 4.2.1. Postcolonial aftermaths, the labour market and orientalism

Colonial histories still affect Western and Swedish societies today. Although Postcolonial Theory is practised and theorised in various ways by different scholars, it emphasises a general process of how colonialism unceasingly impacts the world (Loomba 2005:31). While the ‘post’ might signify an end to colonialism for some, postcolonialism intends to highlight how countries to this day and age in various manners still culturally, economically, and politically are affected by colonialist patterns (Loomba 2005:22). Therefore, postcolonialism focuses on colonial aftermaths and questions colonial dominance (Loomba, 2005:26). However, colonialism and its aftermaths are often overlooked in Sweden, considered to be something other countries bear responsibility for. Yet, likewise, Sweden has been shaped by the history of colonialism and been part of Europe as a global centre, where power and knowledge emanate (Mc Eachrane & Faye, 2001:7). A postcolonial perspective should however not be generalised to impact identically everywhere. Instead, it ought to be utilized to indicate general processes with common elements on a global level. If disconnected from specific or local contexts, a postcolonial perspective is not meaningful and risks hiding various power relations it intends to uncover. Therefore, this study’s context should be analysed in relation to Sweden’s historical, social, cultural, and economic factors, since they vary and change depending on where in the world they exist (Loomba, 2005:31).

Postcolonial aftermaths in Sweden today, for instance, become visible on the labour market, where stereotypical views and categorisations of individuals, leads to migrants’ experiencing discrimination (Eriksson, 2001:258-259). For example, having a foreign name lessens the chance of getting a job, since it is associated with disadvantageous stereotypical characteristics (Räthzel, 2006:107). Moreover, in contemporary times of temporary permits, as in the case of *gymnasielagen*, migrants need to enter the labour market to obtain permanent residency (Sager & Öberg, 2016:3). For youth included by *gymnasielagen* this means entering a neoliberal labour market where capitalism and its goal of surplus accumulation, is the basepoint (Yuval-Davis et al, 2013:13). Capitalism has its roots in colonialism, therefore, the subordination of migrants

on the labour market becomes essential to continue capital accumulation, generating hierarchies based on racism and sexism (Federici, 2004:17). Within this context, views of ‘us’ and ‘them’ (re)produce a racialised and segregated labour market (Anderson, 2013:10; Hallett, 2014:624) where the young people are steered into certain sectors with strong competition, low wages and insecure employment (Sager & Öberg, 2016:11). Although this illustrates segregation according to ethnicity, which generates class differences, labour is also structured according to gender. Hence, migrant women are frequently secluded to subordinated low-wage positions on the Swedish labour market (Knocke, 2011:213). Consequently, migrants are put in vulnerable positions and are (re)produced as the subordinated ‘other’ (Said 2013 [1978]:71), not merely showcasing neoliberal and capitalist thought, but likewise colonial aftermaths.

To understand the situated experiences and perspectives of the participants we will further develop Postcolonial Theory with the help of the Middle Eastern diasporic scholar Edward W. Said (2013[1978]). He centres his postcolonial thoughts around the orient and orientalism, which are concepts considered useful since the youth participating in this study are influenced by orientalism due to their origins. Orientalism highlights a historical division between East and West that influences politics, society, and institutional practices. This division is a manner for the West to restructure, dominate and exercise authority over people originating from ‘the orient’ (Said, 2013[1978]:65-66). These hierarchies place the youth in a position of subordination, as the ‘them’ to the European ‘us’ (Said, 2013[1978]:64), which is a depiction (re)produced and reinforced by Swedish media and politics (Östman, 2019:45). This is constructed on a European hegemony. Said, inspired by Gramsci (referenced in Said 2013[1978]:70), explains hegemony as culture implemented by the state and politics that influence civil society through institutions, ideas, and people. However, this is not conducted through force. Instead, this cultural hegemony gains its power by consent enacted by civil society, creating a reality where a certain culture possesses an advantage over others. This places people from ‘the orient’ as ‘the other’ to the European, producing a hegemonic culture of European identity that is perceived as superior to non-European people and ideas (Said 2013[1978]:71). This functions as a framework in the case of *gymnasielagen*, in which orientalist thoughts of ‘the other’ influences and construct the everyday experiences of migrants in Sweden.

#### **4.2.2. Fortress Europe, borders and bordering**

During the ‘refugee crisis’ in 2015, countries implemented more restrictive migration policies building the walls of Europe even higher (Betts & Collier, 2017:91). Thus, in autumn 2015 Sweden closed its borders (Schierup et al, 2017:10). This sort of decision that excludes ‘unaccompanied minors’ and refugees from entering Europe and Sweden, is however not new. For instance, during the 1990s stricter migration laws and increasingly restricted European borders were put in place (Teschfahoney, 2001:190). This goes hand in hand with a portrayal of migrants as an ‘outer threat’ to Europe and Sweden, which is a central part of what is named ‘Fortress Europe’ (Teschfahoney, 2001:193). ‘Fortress Europe’ represents a sort of ‘gated community’ that only a small amount of the world’s population has access to (Dahlstedt & Teschfahoney, 2004:55), in which ‘inclusion’ or ‘exclusion’ is decided on a notion of a Europe with a common history and culture (Dahlstedt & Teschfahoney, 2004:56). Moreover, a central part of ‘Fortress Europe’ are borders (Varada Raj, 2006:514), which determine who is allowed to enter a country, but likewise, influences who can work, stay and obtain political, civil, and social rights (Dahlstedt & Teschfahoney, 2004:56).

Borders are utilised to maintain and construct an ‘us-them’ dichotomy, generating a process of both othering and ordering (Yuval-Davis, 2019:5). A world constructed according to a ‘Manichean allegory’, with interchangeable dichotomies such as, ‘us-them’, ‘white-black’ or ‘superior-subordinated’ (Teschfahoney, 2001:195), functions as a mechanism that establishes the white Western male as the norm, generating femininity and ‘the other’ as deviant and incomplete (Teschfahoney, 2001:208). These dichotomies produce and (re)produce the economic, political, and cultural hegemony of Europe and the West, establishing a racist and hierarchal world order where the ‘migrant other’ is continuously (re)produced as subordinated (Said, 2013 [1978]:71; Teschfahoney, 2001:196). Various dichotomies are also used in the description of migrants regarding asylum claims, such as ‘legitimate-illegitimate’ or ‘deserving-undeserving’ (Wernesjö, 2020:391), which are labels that influence people with experiences of unaccompaniedness in Sweden, throughout and beyond the asylum process (Wernesjö, 2020:392). This highlights how borders are not merely physical or material. Varada Raj (2006:513) illustrates this by utilising Marxist and feminist theory to analyse the borders of ‘Fortress Europe’. The author emphasises that these borders are paradoxical in the sense that they are not merely physical, but also exist in the social realm of everyday life where migrants are both included and excluded (Varada Raj, 2006:518;522). This occurrence of everyday

borders is likewise identified by Yuval Davis and colleagues (2019:17) who argue that borders exist within borders, which they conceptualise through the concept of 'bordering'. Therefore, this concept will be implemented to explore how these processes exist due to *gymnasielagen*. Moreover, 'bordering' function to keep migrants and refugees out (ibid.), simultaneously as they create a space where a residence permit, temporary or permanent, or citizenship becomes a requirement to belong, where borders work to filter out the ones who 'deserve' to stay from those who do not (Anderson, 2013:2)

Furthermore, to capture experiences of 'bordering', this study will focus on everyday life from a situated and intersectional perspective, as recommended by Yuval Davis and colleagues (2019:5). Intersectionality also becomes a useful analytical tool in the context of 'Fortress Europe', since certain bodies, mainly white, male, middle to upper class, possess privileges that enable border crossings. Thus, access to spaces is structured according to gender, class, ethnicity, and citizenship (Dahlstedt & Tesfahuney, 2004:61). These categories will likewise be utilized in this study to understand the experiences of the participants, to illustrate how these classifications intersect and mutually influence each other and create diverse organizations of power (Collins & Bilge, 2016:11). Moreover, intersectionality will be further explored as an epistemology in the upcoming chapter, demonstrating its central role in migration studies.



## 5. Methodology and methods

This chapter consists of two main parts. Firstly, a discussion about feminist research that has laid the groundwork for this study is presented. Further, the epistemologies of standpoint theory and intersectionality will be offered, followed by the influence of my position and the role of politics in this study. Moreover, the second part will dive into focus groups and semi-structured interviews as the methods utilized. Additionally, how the interviews were conducted, sampling and ethical considerations will be introduced. Finally, we will get an opportunity to get to know more about the participants.

### 5.1. Feminist research and epistemologies

The paper places itself in the sphere of feminist research. Thus, I strive to address inequalities and highlight experiences and perspectives of the participants that go beyond one-dimensionality (Leavy & Harris, 2019:6). This feminist baseline shapes and affects the epistemologies and methodologies present and utilized in the study (Bhopal, 2010:189; Leavy & Harris, 2019:5). A feminist epistemology, according to Leavy and Harris (2019) “is the study of knowledge from a feminist perspective; that is, the production of knowledge through a feminist lens” (p.19). Furthermore, as of the aim to centre perspectives and voices of individuals who have been affected by *gymnasielagen*, a standpoint theory and intersectional epistemological approach will be used (these epistemologies will be explained further below). These epistemologies are beneficial since they can blend various fields that ordinarily are kept distinct while bringing the political into the room of academia (Harding, 2004:2). In this study, this occurs by linking standpoint theory to intersectionality, which is further connected to postcolonial theory and larger flows of migration and neoliberalism. Finally, landing in the individual experiences of those affected by *gymnasielagen* – a law with political ties.

Moreover, standpoint theory and intersectionality do not merely function as epistemologies but entails methodological implications as well (Harding, 2004:1). Therefore, the methodology, which is “a theory and analysis of how research should proceed” (Harding, 1987:2), will emanate from these feminist epistemologies. Thus, this study will centre and validate the experiences of those participating, in the means to generate knowledge *with* them to reveal larger societal structures and social relations. This likewise entails critically placing myself in relation to the participants (Edwards, 1990:478), hence, politics in research and my position will be discussed later on.

### **5.1.1. Standpoint theory**

Inspired by the feminist movement, standpoint theory has its origins in centring the voices and perspectives of women, being distinct from men (Leavy & Harris, 2019:52). Today, it has developed into including perspectives of oppressed groups, empowering them by valuing their experiences and developing knowledge based on their insights (Harding, 2004:2;9). Therefore, standpoint theory will be utilized to include the perspectives and critical perceptions of people affected by *gymnasielagen* as a base for knowledge production. Moreover, the youth who are participating in this study have the potential, based on their epistemic privilege, to produce understandings about the Swedish society, culture, and history where marginalisation is currently present (Harding, 2004:9). This is valuable since orientalism, according to Said (2013[1978]:432), entails that certain views frequently are limited to statistics or attitudes, consequently dehumanising them. However, if values and experiences are brought forward, the patterns that are utilized to describe the youth can be broken. This unique ability to give an insight into oppression requires knowledge and perspectives that are not visible for individuals who have no experience of unaccompaniedness or *gymnasielagen* (Collins,1986:19). Therefore, all of the participant's partial insight will be centred, to highlight what Haraway (1988:590) considers to be their 'situated knowledge', which constitutes the fundament for knowledge production. However, the participants are not simply people who have been affected by *gymnasielagen*, they likewise occupy other positionalities which shape their situated knowledge (Haraway, 1988:585). Thus, to illustrate the intersection between these positionalities, intersectionality is included as an epistemological perspective.

### **5.1.2 The history of intersectionality and its utilization today**

Intersectionality can be traced back to the 1960s. However, it was in the late 1980s that Kimberlé Crenshaw, an African American scholar, first stated how the intersection of various oppressions are experienced by using the term 'intersectionality' (Leavy & Harris, 2019:43). Crenshaw (1991:1296), with a starting point in gender and 'race', as a critique against feminism for only including 'women' as one category, demonstrated how various value infused categories encompass subordination or privilege, and therefore (re)produce social hierarchies. It is the intersection and acknowledgement of these categorizations that illustrates the nuances and complexities of society. Furthermore, Crenshaw (1991) emphasised that "intersectionality may provide the means with other marginalizations as well" (p.1299), characterizing the broader intersectional perspective of today, which likewise will be utilized in this study. This enables

a manner to grasp the intersections present in the youth's experiences regarding gender, class, ethnicity, and citizenship, which generate diverse organizations of power (Collins & Bilge, 2016:11).

### **5.1.3 Intersectionality in migration studies – a must to portray reality?**

Migration research covering various subjects and fields (see e.g Yuval-Davis et al, 2019), and studies including experiences of unaccompanied minors, emphasise the need for an intersectional perspective (see e.g Wernesjö, 2014; Djampour 2018; Östman 2019; Ekström, 2019). Lacking intersectionality risks placing the youth in a homogenous category with one characteristic – an unaccompanied child (Östman, 2019:184). Although the youth may share experiences of migration, Sweden and *gymnasielagen*, differences exist regarding citizenship, gender, social background as well as individual life stories and experiences (Wernesjö, 2014:10). Merely presenting youth as 'an unaccompanied child' thus disregards the complexity of their lives and experiences, which according to Ekström (2019:117) risks (re)producing stereotypes and giving simple and inaccurate explanations to complex problems. Therefore, this study uses intersectionality to move beyond homogenisations and instead offer complexities, differences, and variations existent within the category of 'unaccompanied refugee minors' (Stretmo, 2014:57; Östman, 2019:184; Herz & Lalander, 2019:60).

Additionally, intersectionality can connect individual experiences to broader societal systems and structures (Östman, 2019:86). Thus, the perspectives of the participants can be connected to neoliberal and postcolonial Sweden of today. To, for instance, demonstrate the intersections between gender, class, ethnicity, and citizenship that exist in the contemporary Swedish labour market (Knocke, 2011:213). Nevertheless, as Djampour (2018:27) states, presenting voices of those that are categorized into sharing the same story, can challenge the stereotypical portrayals often present within the social and political debate. Consequently, by letting voices and experiences of people affected by *gymnasielagen* be heard, an alternative to the homogenising depictions frequently found in Swedish society today can be generated. Furthermore, intersectionality and feminist research not only involve the views of research participants but likewise, as Harding (1987:9) argues, my positionalities regarding gender assumptions, ethnicity, class, culture and beliefs and how this influences research must be considered.

#### 5.1.4. Politics and positionality

Orientalist discourses, views and colonial histories present in Swedish society today have and will affect how I perceive the participant's, since I am not objective but exist in a social, historical, cultural, and political produced context (Heckert, 2010:53). Therefore, reflexivity that acknowledges my position, context and beliefs should be thought of throughout the research process. Based on this I wish to emphasise my perspective that feminist scholarship and research is a political project (Leavy & Harris, 2019:27). They are not neutral and objective, thus neither am I, especially since *gymnasielagen* has been created within a political context. However, as Said (2013[1978]:75) points out, while some might delegitimise studies with political content, politics are always present in knowledge production. Hence, I agree with Harding (1993:49) that studies guided by politics are less distorted and partial than research guided by value-neutrality. Moreover, I simultaneously write from a feminist position and feel empathy and solidarity with those the law has impacted. Consequently, bringing forward the voices of those the law has influenced should not be considered as value-neutral research.

Furthermore, I have experiences of migration myself since I, along with my family, moved from another European country to Sweden at a young age. My migration trajectory, however, is different from the youth in this study. While my migration might enable some shared experiences with the youth, I do mainly place myself as an outsider. Especially since I am racialised as white in both the country I was born in and in Sweden, which shields me from experiencing racism and orientalism. Additionally, I am not a refugee, nor have I applied for asylum and can therefore not fully grasp experiences of unaccompaniedness (Narayan, 2008:220). Nevertheless, I feel solidarity with the youth, similarly to the participants who have worked closely with those *gymnasielagen* includes. Moreover, living, growing up and conducting research within the Swedish context, one must consider how colonial patterns still influence power relations present within and beyond research (Smith, 2012:61). Therefore, I view it as valuable to emphasise that the participants are viewed as active agents who own their perspectives, knowledge, and experiences and not as 'passive' people who need to be 'saved', as frequently found in imperial and colonial discourses (Östman, 2019:84). Besides, it is important to acknowledge that I do not claim to be fully able to understand the experiences of unaccompaniedness nor represent or talk for the participants. Instead, it is their voices, experiences and perspectives that lay the fundament for knowledge production.

Moreover, the empirical material collected will be interpreted and analysed by me. Additionally, the interviews were all conducted in Swedish, meaning that the quotes have been translated into English. Aware that this may entail that words or meaning have been lost in translation, I have done my best to translate them to be as close to the original voicing as possible. However, this causes power differences, with a risk that the participants not necessarily will recognise themselves in the material and how it is analysed. Yet, an analysis always encompasses interpretation, connecting individual stories with theories and broader societal structures (Mulinari, 1999:45). Besides, it is important to recognise that my position, the questions I ask and the quotes I choose to analyse are based on subjective decisions. Although I strive to reach my aim, answer the research questions and in this process further the knowledge about *gymnasielagen*, it should not be overlooked that I am the one interpreting and presenting the participant's voices. Nevertheless, I hope that I have managed to make their rich and valuable experiences justice.

## 5.2. Interviews - grasping the experiences and perspectives

To collect empirical material, interviews were used as a method. These interviews were performed in two various ways. The first encompassed an activity-based focus group, where three of the four youth who had been included by *gymnasielagen* participated. One of the four youth had to cancel his participation at the last minute and therefore he skipped the focus group interview. Nevertheless, he later participated in a semi-structured individual interview, which represents the second approach. Individual interviews were conducted with those who had worked closely with youth included by *gymnasielagen*. Insights from the interviews, discussion about methods, sampling, online interviewing, and ethical considerations are presented below.

### 5.1.1. An activity-based focus group interview

A focus group with an activity-based approach was implemented as a strive to generate a feminist and hence, equal research process between the youth and me. With this as a fundament, focus groups (FG/s) were conducted since they entail an egalitarian, interactive, and flexible potential (Esim, 1997:139). The FG in this study followed its general pattern, where the participants who share a similar situation, in this case, being included by *gymnasielagen* and thereafter received PUT, talked about various topics. The FG enabled an opportunity to discuss their experiences while being in a state of temporality and their journey through this time, where the main focus is placed on interaction within the group and the youth's collective construction of meaning (Bryman, 2011:447). This collective aspect of the FG was entailed by the

participants entering a dialogue with each other, where their knowledge was expressed and transformed by thinking and talking interactively. This was beneficial from a feminist point of view since it enables non-hierarchical and contextual conversations, with room for diverse opinions (Carretta & Vacchelli, 2015:3). This strive and ability to produce collective and connected knowledge is likewise present in standpoint theory (Haraway, 1988:590), where the FG creates a space to investigate the standpoint of the youth, which gives a glimpse into their experiences (Allen, Armstrong, Riemenschneider & Reid, 2006:834). When conducting this interview with the youth, it was mainly the initial and final part of the interview that included the structure of a traditional FG. The part in between instead consisted of an activity-based FG.

From a feminist research position, an activity-based FG was chosen since it according to Carretta and Vaccelli (2015:9) is beneficial when aspects such as gender, ethnicity, educational background and life trajectories differ between the interviewer and the participants. Acknowledging that these are aspects that could influence the interview, creating both hierarchical differences and power imbalance, I viewed it as a method that enabled the youth to steer the conversations. Therefore, the discussions started with three digital mindmaps created by the participants, to centre their knowledge and to encourage a diversity of opinions, interaction, and solidarity (Carretta & Vacchelli, 2015:3;6). Moreover, an activity-based approach during a FG is adjusted according to the research topic (Colucci, 2007:1424). Consequently, the mindmaps each focused on a specific theme concerning their experiences of *gymnasielagen*. The three themes were ‘*Gymnasielagen* and everyday life’, ‘*Gymnasielagen* and school’, ‘*Gymnasielagen* and work’. These mindmaps functioned as an activity to enable group interaction and discussion, further developed by me acting as a moderator (Carretta & Vacchelli, 2015:3). Thus, when the participants had written down and presented their thoughts, experiences, and perspectives in the mindmaps, I opened up for a broader discussion. In this process, the youth were asked semi-structured interview questions, which of some were prepared (see Appendix) and others came to me during the conversations.

An advantage of utilizing an activity-based approach when researching vulnerable groups is identified by Carretta and Vaccelli (2015:9) and Colucci (2007:1424), who emphasise that practical and sometimes enjoyable tasks make topics seem less threatening. In this manner, the mindmaps gave the participants a chance to present what they considered important, which likewise gave them agency to set the framework of what they felt comfortable discussing. During the activity-based FG, it is, however, important to be aware of hierarchies and power

imbalances at play. By deciding on covering mainly three topics, I set the boundaries and lines of the conversation. Additionally, I likewise held the authority to decide if and how the narratives of the participants would be conveyed, being the one later performing the analysis and consequently having the ability to silence voices (Caretta & Vacchelli, 2015:9). While being aware that my position, bias, and subjective views might have influenced both the FG interview and material selection, I have aimed to use the interviews as the basepoint for knowledge production. However, as argued by Leavy and Harris (2019:29), one's position is always a part of research and being objective is therefore unreachable.

### **5.1.2. Semi-structured interviews**

The ability to structure interviews, while also having the flexibility of rearranging and asking follow-up questions, led to the choice of conducting semi-structured interviews (Bryman, 2011:415). The semi-structured interviews consisted of introductory questions, tailed by questions corresponding with the three FG themes, thus '*Gymnasielagen* and everyday life', '*Gymnasielagen* and school', '*Gymnasielagen* and work'. Finally, finishing off with some conclusionary questions of a general kind (see the interview guides in the appendix). The content of these interviews was adapted to the participant and their situational position (Mason, 2018:112). In the interviews with people that had worked closely with the youth, questions were asked to grasp their perceptions, experiences, and perspectives of *gymnasielagen* to get an insight into its effects. When interviewing one of the youths, questions followed the same structure as in the FG, however, a mindmap was not conducted in this setting. While this individual interview did not encompass non-hierarchical benefits to the same extent as the FG (Carretta & Vacchelli, 2015:9), it did allow him to shape the dialogue unaffected by other participants, creating more politically informed content, likewise of interest in this study. Nevertheless, the strive to grasp situated knowledge through dialogue maintained (Mason, 2018:110). In this manner, I viewed the participants as knowledge carriers whose knowledge could be attained by asking questions and active listening. From a feminist research perspective, active listening is of particular importance since I do not share certain positions with the participants. Therefore, to learn and to generate fruitful data, listening was central when their knowledge was voiced (Leavy & Harris, 2019:143). Being aware that my position most likely influenced the answers I received, as in all interviews conducted, FG or not, I have continuously strived to capture the lived experienced and situated knowledge on a reflexivity basis.

### 5.1.3. Sampling and conducting interviews in a digital world

Intending to capture experiences and perspectives of *gymnasielagen*, I first set out to include participants who had lived through the entire journey from being granted temporary residence permits to finally receiving PUT. Finding participants who fulfilled these requirements was perceived as a challenge from the start since there are currently merely a few hundred who have received PUT. However, by contacting various organisations, projects and by writing in Facebook groups I managed to find four youth that met the requirements and were willing to participate. However, all the young people participating in this study identify as male, while this can be explained by that the majority of minors arriving in Sweden are categorised as men (Beskow, 2020:18), I do acknowledge that women with experiences of unaccompaniedness and *gymnasielagen* are excluded. Moreover, it is worth mentioning that I was also contacted by people who had not yet received PUT, but still wanted to participate in the study. Unfortunately, I had to decline their request since their vulnerable position and uncertain futures were considered too sensitive to include in a Master thesis that has not been ethically reviewed by the Swedish Research Council. Regardless, before the interviews with the youth, separate digital meetings were set up to allow them to meet me, ask questions while I could also present the study in more depth, striving to make them feel familiar with the actual interview setting. Additionally, to deepen and broaden the material and to gain further insight into perspectives and effects of *gymnasielagen*, people who had worked closely with the youth in various labour-market oriented manners were included. Therefore, people who were active in organisations and projects were contacted which in combination with snowball sampling (Bryman, 2011:196) led to another three individuals participating.

Furthermore, this study was conducted during the Covid-19 pandemic in spring 2021. Therefore, all interviews were executed via video calls on a digital platform. Online interviews and digital mindmaps entailed technical aspects, where availability to and familiarity with the digital platforms were needed (Mason, 2018:129). Hence, instructions on how to use these were sent out beforehand, but also explained and shown at the interview occasion. Moreover, online interviews make it tricky to grasp physical space and time, making them more difficult to analyse and comprehend (ibid.). While some physical sense-making and interaction might have been lost, online interviews were in this case beneficial from a geographical point of view. The participants all lived in various parts of Sweden, therefore, conducting a FG interview would have been obstructed without a digital space.



### 5.3. Ethical considerations

In the interview processes, the Swedish Research Councils (2017) ethical principles have been followed as formal ethical rules. This entailed that the participants received written and spoken information about the study before the interview, which highlighted their voluntary participation, their role, terms for participating and how the material would be collected. Additionally, they were informed that if any future articles, presentations or similar would be performed based on this study, consent would be asked for. However, since a FG interview was conducted, where the participants listened to each other's stories and discussions, their anonymity cannot be fully guaranteed. Nevertheless, this was made clear before the interview. Moreover, consent to participate was collected verbally before the interviews started, since they were conducted in a digital setting. In the transcribed interview material, specific locations have been removed. Furthermore, opportunities were given to all to receive and read through the transcribed interviews. No one felt this was necessary, except one who instead wished to read the thesis before it was handed in.

### 5.4. Thematization of the material and analysis

While work, school and everyday life constituted the fundament of the interviews, several themes and codes within these contexts became apparent afterwards. When trying to structure these into various patterns, three main themes became evident. The first highlighting the in-betweenness present in both the political situation and experiences of the participants. The second showcasing liminal legality and individual experiences within this context. Finally, the third, demonstrated how structural and societal aspects, in the shape of neoliberalism and postcolonialism, influenced the realities of those affected by *gymnasielagen*. Thus, these three main themes constitute the structure of the analysis. Additionally, by following the formation of the interview guides (see Appendix) the participant's stories entailed the time before *gymnasielagen*, all the way to PUT. Therefore, the analysis is somewhat divided to follow this timeline.

## 5.5. Whose voices will we listen to?

Below are presentations of the participants who are part of this study. In the FG and interviews, I did not feel there was any appropriate space to discuss gender identities. However, based on my interpretation, two are perceived to identify as women and five as men<sup>3</sup>. I offered them the opportunity to choose a pseudonym themselves. An offer some took, and others did not. Regardless, all the names are pseudonyms to ensure anonymity.

**Ali** was born in Iran, has his roots in Afghanistan and came to Sweden in 2015. He recently received PUT based on *gymnasielagen* after studying the health and care program. During his studies, he worked extra in an elderly home, which later also became the workplace where he received full employment. He is now looking forward to establishing a life here in Sweden and hopes to be admitted to a university, so he can start studying the psychology program after the summer.

**Anonymous** was born in Afghanistan and came to Sweden in 2015. He studied the trade program at upper secondary school. Today he is working at a work-cooperative, where he performs various service tasks by assisting people with, for example, moving, painting or carpentry. It is this job position that resulted in PUT. In the future, he aims to become a bus driver and looks forward to buying his own house in Sweden and starting a family.

**Haji** was born in Afghanistan, fled to Pakistan together with his family at the age of two and came to Sweden in 2015. He has a special interest and passion for motor-driven vehicles and studied the vehicle and transportation program at school. After graduation, he did however not get a permanent job within his field of passion, so in the means of obtaining PUT, he started and is still working at a warehouse. In the future he hopes to develop his knowledge within the transport industry, hoping to become an engineer or have a career within aviation.

**Adam** was born in Afghanistan and came to Sweden in 2015. In upper secondary school, he studied economics. Today he has PUT and works as a cleaner. He is passionate about politics and wants to study political science at university. In the future, he imagines a career on an international political level, within the EU or UN.

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<sup>3</sup> In this thesis the concepts of 'men' and 'women' are utilized. However, my own understanding of gender is not limited to these two concepts.

**Elisabeth** has a successful career behind her, but recently made a change of path. She is currently working part-time as a teacher at a school for adult education on an upper-secondary level and part-time as a project leader to assist people included in *gymnasielagen* to get a job. She explains that this job has changed her life and made it more meaningful.

**Siri** works at the church as a diaconal coordinator. This started her engagement with people included in *gymnasielagen*, and now helps and supports the youth in their job search. Besides this, she runs her own business within a creative field. She appreciates the insights the job with the youth has given her and is pleased with the new network and friends she has received by engaging in these topics.

**Simon** runs his own company but is simultaneously engaged in various projects and organisations that aims to help the youth to get a job and receive PUT. This all started a few years ago, when he got in contact with some of the youth, via his wife, and saw the struggles they faced in Sweden. He says that his life is richer today since he got new insights, knowledge but also friends he would not have otherwise.

## 6. *Gymnasielagen*: in between inclusion and exclusion

This chapter constitutes the first part of the analysis and starts by centring on experiences from the time before *gymnasielagen* was implemented. However, this chapter mainly functions to highlight the role of politics and how this has influenced the creation of the law, and how *gymnasielagen* is characterized by being a road in-between inclusion and exclusion, or opportunities and limitations.

### 6.1. Before *gymnasielagen*

The youth express how their lives were a reality of ups and downs before *gymnasielagen* was implemented. When first arriving in Sweden in 2015, it was filled with the hope of a new future, according to **Haji**: “Of course, one gets kind of hopeful, that ‘okay, I have a chance, maybe’ after so much stress or so many hard paths, we have come to Sweden. We might get to stay.” This feeling of hope in times of uncertainty can be identified as an expression of agency (Djampour, 2018:67). However, asylum applications were sent in and came back with a rejection. Moreover, before *gymnasielagen* came about, some were still in the asylum process with repeatedly rejected asylum claims. Others, such as Ali, had received the three rejections required for deportation but had decided to stay in Sweden as undocumented. He says: “My life before *gymnasielagen*, it was almost disastrous” (Ali). Similarly, a challenging reality before being granted a temporary resident permit was expressed by Haji:

**Haji**: “Life was not easy to live in any way, I was stressful, one had thoughts, one had nightmares, one at times felt, one could say, powerless kind of. You cannot do anything, it is them [the migration agency] who sign the papers, what they say is correct. Does not matter how much you fight to prove against that thing, it does not help. You feel very powerless.”

As made clear above, the time before receiving a temporary permit due to *gymnasielagen* was stressful and uncertain, generating a feeling of powerlessness. Haji’s feelings can be understood with Djampours (2019:67) argument that vulnerability is generated when a person’s future is in the hands of authorities. However, while this highlights limitations, one should not conclude that agency was non-existent in all parts of his life since lacking a legal status does not mean lacking agency (Yuval-Davis et al, 2019:9). Regardless, their realities soon altered.

## 6.2. *Gymnasielagen*: the road in between

When *gymnasielagen* came about, an initial hopeful alteration for a brighter future was experienced by the participants. **Adam**: “But of course, I got happy. It gave me a hope to avoid this fear and stress for a while until it gets a little bit better.” Ali who was undocumented when the law came explains that *gymnasielagen* created “a hope to keep on fighting.” This hope was present among several of the participants, both among the youth and among the participants who are active in organisations and projects. Moreover, migration laws are occasionally purported with positive objectives (Menjívar & Abrego, 2012:1395), which aligns with *gymnasielagen*, since it was implemented to improve the situation of unaccompanied minors who had arrived in Sweden (Beskow, 2020:12). However, while feelings of hope and improvement were initially experienced, as made evident above, the law simultaneously facilitated limitations through its high demands. This follows a pattern of migration laws in general, where they on one hand may seek for migrant’s situational improvement, but on the other hand entail aspects that potentially target and hurt a specific social group (Menjívar & Abrego, 2012:1395). This ambiguity is illustrated by Adam, Anonymous and Simon.

**Adam**: “There should not be a law like *gymnasielagen* because it has very high demands. It is not the same for everyone, but still, it exists. So, I am happy it came because it opened the way for others.”

**Anonymous**: “When *gymnasielagen* came I got really happy actually. Because there is a chance to stay, but like, in other ways, the government had put many demands on us, demands that are very tough today. For example, one has to have full employment within six months and have finished school.”

**Simon**: “Of course, it is a shit law, but at the same time [...] if the alternative would have been no *gymnasielag*, I still think it should exist, so to say [...] I have a mixed feeling. It is nice that it came, but it is a shit law.”

The negative assessments are mainly constituted of two factors. The first (1) is regarding an unfairness regarding who is included by the law, where unaccompanied minors who sought asylum after the 24<sup>th</sup> of November are excluded. **Simon**: “To take a date like this, a random date, 24/11, only that, ‘hål i huvudet’ [hole in the head<sup>4</sup>] everybody should be included.” The

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<sup>4</sup> A Swedish expression implying that something/someone is stupid.

second (2) critique surrounds the requirement of graduating school and mainly, finding a permanent job within six months. Viewed as hard to accomplish and made even harder due to the Corona pandemic. Elisabeth and Siri capture this:

**Elisabeth:** “It was hard but not impossible, but then Corona hit in March last year, then it added another dimension that was totally hopeless actually. A tough situation that became almost impossible.”

**Siri:** “The law is written so it is not easy to make it, and with Covid, it has been SO hard.”

The corona pandemic did however not lead to any reliefs in the demands of the law, a political decision critiqued by **Simon:** “But so many get support in the pandemic, but this group of young people that are included by *gymnasielagen*, they still have to solve this and get this job within six months.”

These restrictions on the youth in their new host country is an inherent part of migrations laws that entail temporary stay, where high demands in combination with temporary permits enable the possibility to limit the amount of youth who can stay in Sweden permanently (Farcy & Smit, 2019:636). This illuminates how political decisions impact migrants’ lives, since *gymnasielagen* both facilitates and limits actions and possibilities (Menjívar, 2006:1001). The role of politics regarding *gymnasielagen* and how this is perceived by the participants is explained below.

### 6.3. Is *gymnasielagen* all politics?

During the time *gymnasielagen* was adopted, Sweden was increasingly moving to the right on the political scale. Regardless of political affiliations, *gymnasielagen* is first and foremost merely about winning support from most voters, and not the best interest of the youth or Sweden, according to several of the participants. Simon emphasises this centrality of political gain and how it overlooks socio-economic consequences:

**Simon:** “All of *gymnasielagen*, it’s only politics, and those who are affected are those young people affected, and then it is like secondary trauma for us who follow them, who know them [...]. It has nothing to do with money that they cannot stay, because then they would have been allowed to stay. Now we have educated auxiliary nurses that are sitting in detention centres and will get deported.”

**Boukje:** “You say it has nothing to do with money, what do you think is the deciding factor instead?”

**Simon:** “No, but it is politics. It is political, I would say, it is just politics. Because if one looks at the human behind all this, then there is no one who feels good about this. There is no one who thinks, there is no one who wants this. The youth want to study and start working. I do not know any young person who does not want to contribute, it is. And this, *gymnasielagen* and all of that, there is so much ignorance around this that also makes... You want there to be ignorance, because then you can use it in the political debate.”

Likewise, Adam presents similar thoughts and says it is all part of a political game:

**Adam:** “I mean Sweden has resources, like, let these people stay. But because this law has become a political game. Some politicians do not want to accept what, they, the other parties, have agreed on. Otherwise, they feel like a loser, like in some way, they want to show others. No one of them [the politicians] wants them to get deported, actually. They know it is a benefit for the country. The country has invested billions of kroner for them. Why are they getting deported when they are educated auxiliary nurses? And that is needed everywhere. They are screaming for auxiliary nurses, but some parties want them to get deported. So, it does not align with what they say and what Sweden needs. And as said, it is all a political game. They, it is a debate, they have to have something to say to the other part. So, it is typical politics. One must find, one must lie, one must make something up.”

The youth seemingly have become pawns in a “political game”, as Adam puts it, and are caught in the growth of what Dahlstedt and Neergard (2016) named a ‘crisis of solidarity’. Migrants and refugees, who in this case are unaccompanied refugee minors included by *gymnasielagen*, fall into the cracks between solidarity of a supportive welfare state and right-wing development where neoliberal policies and interim migration laws are gaining power (Dahlstedt & Neergard, 2016:12; Schierup et al, 2017:12). It is no longer humanitarian or socio-economic aspects, once considered valuable from a welfare perspective, that are at the centre. Instead, right-wing gusts now steer the direction of migration laws (Dahlstedt & Neergaard, 2016:2).

Furthermore, we must bring forward Said’s (2013[1978]) concept of orientalism to contextualise the political climate that formed *gymnasielagen*. This law was not created in a vacuum. Instead, it is the division between the East and West, ‘us’ and ‘them’ and the colonial history within these divisions that aligned with a right-wing and neoliberal political climate

(Tesfahuney, 2001:202). This generates a Sweden where laws like *gymnasielagen*, entailing liminal legality (Menjívar, 2012) and a continuum of deportation (Sager & Öberg, 2016) are the norm. Moreover, these politics and its subsequent laws exercise power and affect those considered the be ‘the other’ (Said, 2013[1978]:66). When discussing views on immigrants in Sweden, Adam expressed the influence of politics: “What the politician’s debate, they affect it a lot.” Thus, the hegemonic power flows through politics, laws, and institutions such as the Swedish migration agency, influencing and impacting people on a civil society level. Accepted by the majority, where “ignorance” as Simon puts it, exists, *gymnasielagen* can remain and exercise its power (Said 2013[1978]:70), determining and shaping the lives of those it affects (Foucault, 1993:203). How this shaping expresses itself in the lives of the participants can be found in the upcoming chapter(s). Likewise, other limitations within liminal legality will be highlighted, as well as how these encompass opportunities.

#### 6.4. *Gymnasielagen* and school – in between opportunities and limitations

In this section, we will take a look at how *gymnasielagen* facilitates a school context where both opportunities and limitations are experienced. First and foremost, the importance of graduation is explained by **Anonymous**: “School, you have to have finished an education and have an education to get a permanent job.” This necessity of graduating is for some experienced as a driving factor. Ali, who was already in upper secondary school when the law came, illustrates its effects on his performance:

**Ali**: “When *gymnasielagen* came, then there was a change in my grades. I didn’t have a single F. Had four, five A:s on my grades, that kind of, I had gotten the hope to continue further. It is, I invested more in school.”

Elisabeth, who worked closely with many of the youth, both in a labour-market project and in school, tells me about how she observed hard work and drive:

**Elisabeth**: “I have noticed that the drive they have, it is amazing. [...] But this is dedicated ‘I need to pass the courses; I need to do it in time’. It is a stress, but not only negative stress, instead it is a, when they feel, they who manage to do it and who feel that they can do it, who can manage stress, like, also the positive stress to succeed and the pride over finishing their education in time and to get a job.”



*Gymnasielagen*'s requirement to graduate thus seems to occasionally function as a driving force or even "positive stress" which becomes an enabling factor for finishing school. This approach highlights how school encompasses structure and meaning in times of uncertainty (Hagström, 2019:141; Jahanmahan et al, 2019:86). However, while this can be regarded as an ideal effect of the law, "negative stress", as voiced by Elisabeth above, is likewise inherent within this context. All participants tell me that school-related stress was present in everyday life. Haji tells us about his experience:

**Haji:** "Really it was very stressful [...] I remember there was this one period (pause) I do not really remember what year it was, anyways, there was a period, I studied, and I got sick at home, I don't know. I have had that before as well, I suddenly fainted immediately. I got very stressed."

Haji's experience demonstrates that school produces stress and further psychological issues. Additionally, Siri, who works closely with youth included by *gymnasielagen* told me this: "They are very stressed and of course, they know that they have to pass everything, so I think there are many who also felt quite bad", illustrating the law's stressful and negative psychological effects.

If graduation is not reached, deportation may lay ahead. This awareness that deportation might occur in the future, while it is not present in an immediate way, showcases how 'continuum of deportability' (Sager & Öberg, 2016) is experienced and perceived within the school context. Although this occasionally serves as a driving factor to succeed well in school, which for Ali resulted in better grades, it likewise encompasses negative experiences, which according to Menjívar and Abrego (2012:1391) demonstrates legal violence. This legal violence becomes apparent in its effects, where mental illness and in particular stress, becomes a considerable part of life when having to adapt to *gymnasielagen*'s requirements.

Moreover, legal violence also becomes apparent through depictions of how the youth cannot proceed to higher education after upper secondary school. Several of the participant's highlight that they applied for a university program, got accepted but had to reject the offer since *gymnasielagen* requires a full-time job to obtain PUT. Ali who applied and got accepted to a psychology program says: "I have applied last term, or spring term. Because I had not received my permanent residence permit yet, so I had to say no to my spot." Adam who gained similar

experiences when he applied for political science at university, is critical towards this aspect of *gymnasielagen* and Sweden in general:

**Adam:** “So, it [*gymnasielagen*] makes people not have freedom, people have to go after a certain program. Like, they have to work. Maybe some people do not want to work, some can read at university. So, this is not... This is some sort of dictatorship. I would describe it as. One says that it is democracy, it is not democracy. It is not.”

**Boukje:** “What is it that makes you say that it is not a democracy?”

**Adam:** “Democracy, as long as I do not have the right to choose, as long as I do not have the right to decide – it is not democracy.”

Legal violence becomes visible when the youth are blocked from advancing to higher education. Even though they have excelled enough in school to get accepted to university, *gymnasielagen* steers them into a certain class by limiting traditional paths of upward mobility. Instead, they are obliged to participate in low-wage work. Signifying legal violence (Menjívar & Abrego, 2012:1408). Furthermore, this demonstrates how the law conditions the youth into being ‘good migrants’, determined by their ability to graduate and acquire full employment (Anderson, 2015:50). This limits them to low-qualified work and from accessing higher education, which according to Adam is experienced as “some sort of dictatorship”. Simultaneously showcasing that they are not allowed to be too advanced workers or students. Making evident how migration laws, like *gymnasielagen* differentiate rights between those with temporary stay and permanent stay or citizenship. While this signifies a dichotomy between citizen and non-citizen (Shutes, 2015:60) it likewise generates further layers of differentiation based on the youth’s relation to the labour market, determining their access to rights, further (re)producing ethnicity and class-based differences.

## 7. Experiences from within a state of liminal legality

This second analytical chapter covers various experiences and perspectives, by focusing on the time being in a state of liminal legality. Experiences from everyday life, school and work are centred to demonstrate how concepts such as ‘bordering’, ‘governmentality’, ‘deservability’, ‘strategies’, and ‘agency’ are present due to *gymnasielagen*.

### 7.1. Borders and bordering as a result of liminal legality

The experiences and perspectives presented by the participants encompass several processes of ‘bordering’. For instance, during the asylum process, the youth did not have working permits. This mechanism of limiting migrants from joining the labour market is according to Yuval-Davis and colleagues (2019:5) an inherent part of borders, constructing othering and ordering between ‘us’ and ‘them’. Being included by *gymnasielagen* however, did enable an opportunity to join the labour market. **Adam**: “I got job opportunity. I could work. Before, I could not work, so I lived here for four years without a working permit.” He further explains what this meant for him: “So, I was happy with getting a work permit because then you get a little bit more freedom. One gets, maybe, economic freedom” (Adam). Obtaining a work permit due to *gymnasielagen* thus facilitated an opportunity to cross a border to the formal labour market. However, *gymnasielagen* likewise created additional borders, now found in the context of school.

Based on *gymnasielagen*’s requirements, school plays a significant role in the journey to PUT: “School is the only way to PUT” (Haji). “When *gymnasielagen* came, then school was the only way to PUT and then, most people understand this. They start studying again” (Ali). School thus becomes a border that must be crossed in the journey to obtain permanent residency. Borders are therefore not merely present on a macro-state level or physical in a sense of Sweden’s border policies, instead, they are likewise found within everyday practices and state functionaries such as school (Yuval-Davis et al., 2019:23; Djampour, 2019:273). Moreover, the laws demand of finding full employment, represents a border that needs to be crossed to gain PUT. As expressed by **Anonymous**: “You have to have full employment within six months”. These borders within nations demonstrate ‘bordering’, as presented by Yuval-Davis and colleagues (2019:59). Simultaneously, ‘bordering’ processes are part of a bigger picture, facilitating both inclusionary and exclusionary practices (Varada Raj, 2006:522). For instance, while the law enables a chance of PUT, it also strives to limit diversity as part of a neoliberal

political agenda (Teschfahoney, 2001:193; Yuval-Davis et al, 2019:17). This liberal agenda entails non-physical borders, uncovered by its demands of graduating from school and getting full employment. These requirements align with being a ‘good citizen’, representing liberal ideals of economic self-sufficiency and hard work (Anderson & Hughes, 2015:3). Thus, by reaching *gymnasielagen*’s liberal demands of being a ‘good student’ and a ‘good worker’, the youth become deserving of PUT.

## 7.2. Governmentality and deservability in everyday life, school and work

*Gymnasielagen*’s demands construct education and work as an everyday border that needs to be crossed on the road to PUT, simultaneously, all requirements of the law affect decisions made in everyday life. As made evident by Haji below:

**Haji:** “It [*gymnasielagen*] was the only chance. You have to think. The only chance you have to stay in Sweden. So do not miss that chance! All other chances, all other roads, we have tried, we have failed, we feel powerless. But this is the chance they have given yourself, so take that chance seriously, try, away with everything else. Away with, you know, social life. Focus 100% there and I did. I stopped hanging out with friends, I stopped going out, you know party, or you know, not really party, but see friends once a week. My whole focus was on studies, only. Only studies. I came home, I studied, I slept. The day after school again, after school, study. Sleep at 10. That was, that is the period I have lived.”

Haji’s experience described above demonstrates how one must become deserving of gaining PUT, by performing and succeeding in school, highlighting ‘performance-based deservability’ (Chauvin & Garcés-Mascreñas, 2014:427). Additionally, the quote illustrates two governing techniques that Foucault (1993:203) emphasises to be present within ‘governmentality’. A ‘technique of domination’ becomes evident, since *gymnasielagen* is “the only chance you have to stay in Sweden [...] It is the chance they [the government] have given yourself” (Haji). He is therefore coerced to adapt to its requirements since these constitute the “only chance” for legal stay. Furthermore, Haji’s experience likewise reveals how *gymnasielagen* is internalized and affects self-made decisions in everyday life. He chooses to cut down on social life to be able to focus on his studies to 100%. This is what Foucault (1993:204) presents to be ‘techniques of the self’, where individuals voluntarily modify their lives according to the

government's demands. *Gymnasielagen* thus contains the equilibrium of governing – a balance between domination and self-governing technologies.

Similar experiences of ‘deservability’ and self-governing technologies through de-prioritisation of free time are expressed by Ali and Adam, although, concerning work:

**Ali:** “Like you do not have any free time because think you will, myself when I was timmis [hourly employee] I said yes to every shift that I got, because I. First of all, I needed a permanent employment. Secondly, I have, I had to show myself to the employer that I was a good co-worker. I know this job. I, like, simply, that I am a good co-worker. Then less time for free time, like hang with your friends, party, but and like chill, calm down a bit. But you do not have that time because you have to invest everything on work.”

**Adam:** “[...] like, one goes to school, directly after school, go to work, come home, then go back to school, so you do not get any free time. So, I feel like I am forced to work. But anyways I said ‘okay, to work is my free time’. [...] People said: ‘what do you do in your free time?’. I said: ‘I work’.”

Free time is thus de-prioritised to focus on work and school, highlighting how Haji, Ali and Adam “become active participants in governing themselves” (Menjívar & Lakhani, 2016:1832). Consequently, missing out on aspects of life that people of the same age are experiencing (Djampour, 2019:161). Simultaneously, Adam expresses a feeling of being “forced to work”, demonstrating ‘techniques of domination’ implemented in *gymnasielagen* to govern the youth (Foucault, 1993:203). However, as Foucault (ibid.) emphasises, ‘techniques of domination’ are frequently integrated into ‘techniques of the self’. Hence, Adam turns his obligation to work into the notion of free time.

Moreover, Ali perceives that he must demonstrate his work ethic to his employer to showcase that he deserves the job and a permanent position, highlighting what Chauvin and Garcés-Mascreñas (2014:427) name ‘employment-based deservingness’. Additionally, demonstrating an individual responsibility, since the youth by internalising *gymnasielagen*, adapt and adjust, so they become deserving of permanent stay in Sweden. This ‘employment-based deservingness’ is likewise identified by **Elisabeth:** “But here it is not only about providing, instead, it is about a form of employment.” Thus, the youth’s contribution to the labour market determines who deserves to move from a state of temporality to permanency (Chauvin et al,

2013:124), highlighting how ‘employment-based deservingness’ (Chauvin & Garcés-Mascareñas, 2014:427) is (re)produced by *gymnasielagen*. Put is therefore earned since they support themselves and not constitute public charge (Chauvin et al, 2013:120). It is thus no longer about deserving permanent stay based on humanitarian or asylum claims as initially aimed for, as expressed by **Adam**: “So, I applied for asylum here in 2015.” Instead, the youth become deserving of PUT by performing and graduating from school (‘performance-based deservingness’) and getting a permanent job (‘employment-based deservingness’).

### 7.3. Civil society, social capital, and networks

When the so-called ‘refugee crisis’ occurred in 2015 civil society stood up and offered support for those who arrived with experiences of unaccompaniedness. While the support has decreased over the years, some still stood ground, as voiced by **Elisabeth**: “While the rest of the committed population has moved on to #metoo, the climate threat, like, there are other areas that one commits to. We are a group that has stayed with this commitment.” This dedication from civil society has been performed in various ways. For instance, some offered their help by supporting the youth in their job search and through times of difficulty and uncertainty, while others have opened up their homes and let them become a part of their families. Regardless of involvement, big or small, according to Elisabeth they “follow along on these individuals’ journeys.” When the youth were asked who had been important for them when having a temporary permit due to *gymnasielagen*, civil society’s role became clear:

**Haji**: “The one who was most important to me is the family I have lived with, three years. For sure. I do not have my biological parents left in the world. But they [the family he lives with in Sweden] were the ones who were there for me and actually did everything for me. I cried, they cried, so I was happy, they were also happy. They stood on each side, you know, does not matter where I stand. They were always next to me, saw me.”

**Anonymous**: “The family I live with helped me a lot, and then there is another, a woman who helped to fix the job and all kinds of things.”

The above circumstances illuminate how state control through laws does not merely impact the individual it directly includes, but likewise affects and involves civil society (Menjívar & Lakhani:1848). Previous studies have highlighted the importance of civil society for people with experiences of unaccompaniedness (see e.g. Eriksson et al, 2018; Darvishpour et al, 2019). Moreover, it is particularly in the process of attaining a job that civil society has played a

valuable role, by functioning as a network. The significance of contacts when searching for employment is described below:

**Adam:** “You have to know people. You have to have contacts.”

**Simon:** “So, if you do not have any contacts, then it is hard to get a job.”

**Anonymous:** “[...] it is also important to have contacts, it is a chance to get job.”

**Haji:** “You have to integrate yourself fully. Contacts are absolutely most important. Like, think if I did not have contacts, if for example, Ali did not have contacts, if Anonymous did not have contacts. Would they get a job? I do not think it was that easy. You have to have contacts, you have to have references that can prove that you will have, you can work.”

The described necessity of contacts illustrates the importance of social capital, being an inherent element of social networks, giving the youth access to opportunities and resources that could not have been attained without them (Eriksson et al, 2018:376). Simultaneously this demonstrates a dependency on social networks when trying to find solutions that lead from temporality to permanent stay (Sager & Öberg, 2016:10). Further, the importance of social capital tied to the majority population is developed by Elisabeth:

**Elisabeth:** “It becomes easier for the employer when it is someone else and not only the youth, so the Swedish labour market works like that, it is contacts and it is supposed to be Swedish names if one has to be fully honest, that stands behind and that is so obvious.”

Elisabeth illustrates a form of social capital where ‘bridging’ ties between people from diverging backgrounds generate valuable links to external information and assets (Eriksson et al, 2018:376). Furthermore, social capital can be viewed as a non-legal resource (Farcy & Smit, 2019:643) when the participants use their social networks in their pursuit of a permanent job. For instance, for Anonymous it was his contacts that gave him a job: “So there that I had contacts before, they were the ones hiring me actually.” Moreover, mobilising contacts into a network has likewise been important when supporting youth to find employment. Elisabeth tells me that the project she works in, mobilised various actors in their town into a reference group, to establish contacts that could assist to find jobs for the youth:

**Elisabeth:** “So, I have a reference group and the highest boss for eldercare actually sits there, we have really good contact. There is a CEO for a building company and also the ICA store manager who has hired several of our youth [...] and then there is also school, the guidance counsellor is also in that group, and the church and then me and my boss.”

While the above scenarios demonstrate the valuable role of social capital in the shape of networks, it likewise illustrates knowledge about the context and society within which they work. Therefore, to adapt to Sweden’s network-based labour market, contacts are both utilized to get a job, as by Anonymous, or contacts are put together into a reference group, as done by Elisabeth, highlighting legal consciousness (Farcy & Smit, 2019:643), where networks become the social capital utilized to work with *gymnasielagen*’s framework.

#### 7.4. Agency and strategies

Ever since *gymnasielagen*’s temporary permits were obtained, prospects of getting a permanent job steered decisions made. For three of the youth, this meant attending programs preparing them for certain occupations that did not require any further education. Thus, increasing their chances of getting a permanent job after graduation. For Ali, this defined his decision to attend the care program at upper secondary school, since Sweden has a high demand for auxiliary nurses. Adam, who decided to continue on the finance program even though it mainly prepared him for further education, saw a trend among his friends who also were included by the law: “Most of them I knew, they changed, they read natural science, they read other university preparatory programs. But still, when they heard the law, they changed to a program that led to work”. Moreover, since Anonymous main objective of education was to get a job, he attended a trade program. He explains:

**Anonymous:** “It is the law that made me stressed to pick anything, just pick, get accepted, read, and then get done and get a job and permanent residency [...] so after that I have not worked with trade and stuff. I do not like it either actually. But I had no choice.”

The above scenarios highlight two aspects. The first (1) is *gymnasielagen*’s demand to get a job within six months after graduation. Therefore, a program is chosen based on *stress* as voiced by Anonymous, creating a perception of having “no choice.” This shows a complexity, likewise, found in the study by Ní Raghallaigh and Gilligan (2010:227) where both vulnerability and resilience exists. Anonymous actions illustrate vulnerability in the form of stress and lack of choice and parallelly he showcases resilience by completing the trade



program, which he does not enjoy, due to the main goal of obtaining PUT. Furthermore, the second (2) aspect is that the youth choose a school program that quickly leads to a permanent job after graduation. However, attending particular school programs restricts the youth to certain occupations. Consequently, it becomes a question of class, where upward mobility becomes limited. However, it is likewise considered to be a strategy since it increases the opportunity of getting PUT. This illustrates how the youth, within a state of liminal legality and ‘continuum of deportability’, adjust to the law and use strategies based on its demands to avoid deportation (Menjívar, 2006:1032; Sager & Öberg, 2016:7), highlighting how they adjust to the law to fulfil *gymnasielagen*’s demands (Menjívar, 2006:1032). This brings forward a ‘legal consciousness’, since the requirements are instrumentally utilized to achieve the goal of PUT (Farcy & Smit, 2019:643). Thus, the youth’s knowledge about *gymnasielagen*’s legal framework enables them to utilize strategically chosen non-legal resources, by picking a school program that increases chances of getting a permanent job and therefore become agents in their situation (Ibid.). However, this legal consciousness where non-legal strategies are implemented does not merely occur concerning requirements of graduating school, since they are also present in everyday life and on the labour market. These strategies are implemented based on structural constraints generated by *gymnasielagen*’s demands where ‘employment-based’-and ‘performance-based deservingness’ is central. For instance, Elisabeth recommends some strategies: “Succeed in school, preferably get a driver’s license at the same time, have an extra job that makes you attractive on the labour market, so you can get in somewhere.” Additionally, as aforementioned, social capital and networks are utilized in the labour market, which represents various agency enhancing non-legal strategies utilized on the journey to PUT (Farcy & Smit, 2019:642). Where ordinary acts or everyday practices can enable the crossing of non-physical borders (Djampour, 2019:240). These various circumstances show the ambivalence present in the various contexts of *gymnasielagen*, where agency and limitations can be found simultaneously.

## 8. *Gymnasielagen* and beyond – neoliberalism, racism, and irregularity

This third and final part of the analysis departs in structural and societal aspects, in which *gymnasielagen* exists, to illustrate how these impact the participants on an individual and local level. Based on this, the chapter focuses on neoliberalism and its effects on civil society and the labour market. Thereafter, it centres on experiences of racism and discrimination. Followed up by demonstrating societal consequences of *gymnasielagen*, such as labour exploitation and irregularity. Finally, to bring this analysis to an end, voices from a state of permanent residency will be presented.

### 8.1. Neoliberalism and its effects on civil society and the labour market

When diving into more societal and structural aspects that *gymnasielagen* has been functioning within, it becomes of value to highlight how the participants have experienced neoliberalism. Although they not necessarily explicitly express their experiences connection to neoliberalism, several occurrences showcase these links. For instance, Siri makes clear that in the case of *gymnasielagen* civil society stepped up to fill the gaps where the Swedish state lacked in its efforts: “There are such big holes in the net, in the safety net, so we have to get engaged as civil society” (Siri). Later in the interview, she connects this to a changing Sweden:

**Siri:** “[...] the thought that we have had in Sweden that is about like the classic Sweden, where it is care that takes care of the elderly and it is school that takes care of the children and it is not really like that anymore. It is *uppluckrat* [looser] [...] there are things going on and that is also about how our safety net changes.”

Siri’s comments identify the changing welfare regime occurring due to the influence of neoliberalism (Schierup et al, 2017:21). This transformation is a result of the politics of exclusion that come with neoliberalism’s deregulation and privatisation of welfare (Dahlstedt & Neergard, 2016:12), which has impacted the youth and resulted in civil society filling the gaps found in the safety net. For instance, evident by civil societies support for young people in the search for a job, in a labour market that likewise has been affected by neoliberalism. However, before exploring neoliberal effects on the labour market, we will listen to Ali’s experiences of the requirements of finding a job within six months, which influenced him throughout his time at upper secondary school:

**Ali:** “You had the stress, because you have to plan in some way, you have ‘oh what is going to happen?’. Am I going to get one [a job], after six months when I graduate, am I going to get, what’s it called? Permanent employment. You think, even when you start upper secondary school, you are in your first year, but you already have like that stress, what is going to happen after that day. You run out<sup>5</sup>, everyone is happy, but you are stressed because you need permanent employment.”

Feelings of uncertainty regarding the future are common when in a state of liminal legality (Farcy & Smit, 2019:639), an uncertainty increasing since the participants had to find employment on a labour market steered by neoliberal thought (Schierup et al, 2017:21). However, neoliberalism turned permanent job positions into temporary, limiting full employment to a privileged few (Schierup & Scarpa, 2017:73), hindering the youth in the search for a job, as expressed by **Haji:** “[...] they could offer me a job working by the hour [...] so I could do that, but I had to say no to that one because I needed full employment.” Likewise, Simon and Elisabeth highlight the limitations on the labour market:

**Simon:** “[...] they are done with their studies [...] educated auxiliary nurses but do not get full employment, they only get, are only offered employment by the hour for example. Still, the individual is not included [by *gymnasielagen*’s requirement] so then you do not have the right to stay.”

**Elisabeth:** “Like the Swedish labour market looks like today, it is almost impossible for a young person to get permanent employment directly after upper secondary school. It does not exist. My children do not have permanent employment, never had. So, the labour market does not look like that and I think that is what is really bad.”

As Elisabeth explains, *gymnasielagen* requires entrance into a labour market with almost impossible conditions. Moreover, labour market limitations do not merely exist regarding temporary job positions. Neoliberalism likewise made permanent jobs increasingly inaccessible for people with an immigrant background, placing them at the margins of the labour market (Schierup & Scarpa, 2017:73). Consequently, as aligning with the study by Wallin and Ahlström (2015:135), the young people experience limitations due to their migrant background. Also made evident by Elisabeth, when highlighting her children’s situation of employment,

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<sup>5</sup> Running out from school and celebrating when graduating upper secondary school is a tradition in Sweden.

demonstrating that it is a struggle even for established ‘Swedes’. Anonymous and Haji likewise draw this comparison with people categorized as Swedish:

**Anonymous:** “[...] the stress was that, where is one supposed to get a job? Full employment, because in Sweden, Swedish youth, when they finish upper secondary school, after upper secondary school, they start working but it is probationary employment, so they also do not get full employment. How are we supposed to get full employment within six months?”

**Haji:** “Not a Swede could make it within six months, especially during Corona times to get a permanent job.”

The widespread occurrence of probationary employment makes it increasingly difficult to find a permanent job. In addition, limitations are apparent by the distinction made between them and ‘Swedes’. This is also expressed by youth with experiences of unaccompaniedness in the study by Wernejö (2015:462), where educational structures (re)produce a distinction between ‘us’ and ‘them’. In this case, however, the government generates this dichotomy by adopting a law with labour demands that collide with conditions on the Swedish labour market, where probationary employment according to Anonymous is common. The limitations of being an immigrant are made evident since even ‘Swedish youth’ get six-month trial employment, seemingly showcasing how full employment is even harder to obtain for the youth.

Furthermore, the search for a job has not been an easy journey, as described by Adam and Ali below:

**Adam:** “I do not remember how many jobs I have applied for. I have applied, wow, wow, wow. After the day I graduated, sit with the computer from morning to evening. Find job. Write CV, edit cover letter, so you have to change depending on what you apply for. So, I searched for so many jobs, and finally, one of them called me for an interview. That was lucky, that I got that one. So, it was not easy.”

**Ali:** “I started searching for jobs immediately after I took, I got my degree and ran out, so I started from like jobs, from Jokkmokk in the north to Malmö in the south. Like,

everywhere. I just searched, like, auxiliary nurse, care assistant, night, day, evening, all jobs that were on *arbetsförmedlingens*<sup>6</sup> website.”

These experiences stem from a situation where the young people have low work qualifications and are in a state of temporality where deportation is a possible outcome. Simultaneously, the young people are steered into sectors characterized by insecure employment, strong competition and low economic returns (Sager & Öberg, 2016:11). While a comparison between male and female experiences on the labour is somewhat out of reach in this study, since no women with experiences of unaccompaniedness have been included, it is important to emphasise that the young male participants do not face the same restrictions on the labour market as compared to migrant women. Migrant women are instead frequently secluded to the bottom of the hierarchy in labouring contexts (Knocke, 2011:213). However, similarly to migrant women, the male youth face a segmented labour market based on ethnicity and class. Thus, they are steered into low-wage sectors where work is available for migrants. Consequently, Ali works in eldercare, Adam as a cleaner, Anonymous with service and Haji at a warehouse. Jobs taken since it enabled PUT, as Haji explains: “you have to accept that job, to make it. So, the demand was very hard”. However, since the youth are steered into certain occupations, a racialized and segmented labour market is generated (Hallett, 2014:624; Sager & Öberg, 2016:11). *Gymnasielagen* thus (re)produces and enhances inequalities by constructing “racialized legal- and social hierarchies” (Hallett, 2014:624), likewise, enabling the labour market as a key site for constructing ‘us’ and ‘them’ (Anderson, 2013:10). This falls into the patterns of postcolonial thought, highlighting how economic, political, and racial structures (Tesfahuney, 2001:195) found in the labour market maintains a hierarchy and dichotomy where the youth become (re)produced as the subordinated ‘migrant other’ (Said 2013 [1978]:71). Demonstrating how *gymnasielagen* steers youth onto a segregated neoliberal labour market, (re)producing differences based on gender, ethnicity and class.

## 8.2. Racism and discrimination

When looking back on the time with temporary permits, several of the youth talk about experiences of racism. Anonymous said: “I experienced it [racism] at my internship actually.” Further, Haji brings forward an experience with a co-worker in particular:

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<sup>6</sup> Arbetsförmedlingen is the Swedish public employment service.

**Haji:** “You get treated very differently. You get a lot of stupid questions. The most stupid question I can remember is with a person that I was, he asked me a question ‘What do you think about IS?’ Like, because my name is ‘Haji’, I am born in a Muslim family. That does not mean that I like IS anyways. So, thinking, you get the most stupid questions sometimes.”

These occurrences involving racism demonstrate the difficulties for these young people to move beyond a position of a stranger (Wernesjö, 2015:460). Additionally, Haji’s experience illustrates similar findings as in the study by Wernesjö (2020:401) where particularly boys with experiences of unaccompaniedness are met with suspicion and racism. However, trying to deal with this situation Haji asked the co-worker about his level of education, who claimed he had studied at Chalmers University. To this Haji responded:

**Haji:** “‘Still you are the most stupid person I have met in the world’. So, he just: ‘What do you mean?’ ‘How can you ask question to me, what do you think about a terrorist organisation? Or what do you think about the shootings in Malmö, violence in all cases? Do you think I like violence? I have escaped from violence myself. So, I hate violence’. Then he got quiet. Never, never again he asked stupid questions like that to me.”

Haji’s response represents an enactment of talking back and not agreeing to be silenced, thus turning limitations into agency (Djampour, 2019:243). By bringing forward his own experiences he counteracts the stereotypical views found in his co-worker’s questions (Said 2013 [1978]:432) that stem from colonial times, orientalist views and political contexts where people from the Middle East frequently are perceived and depicted on stereotypical and racist notions (Said 2013 [1978]:96). However, these perceptions do not merely influence experiences in workplaces or at internships, they likewise affect the youth’s ability to find a job. Their name is presented to play a crucial role:

**Haji:** “Today the labour market is, if you have a certain name, you know, a foreign name, like Ahmed or something, it is really hard to get a job.”

**Adam:** “I did my *gymnasiearbete*<sup>7</sup> partly about this. A person with a foreign name, the one who has a foreign name, if I apply for a job, I have 25 % less chance than a person who has a Swedish name to be called to an interview.”

Haji and Adam illustrate how names connected to certain ethnicities influence possibilities when looking for jobs. Name discrimination on the Swedish labour market is likewise found in the study by Rätzzel (2006:101), emphasising that foreign names are associated with stereotypical characteristics, limiting youth in pursuits of a job (Rätzzel, 2006:107). Names and ethnicity thus constitute an everyday border in the labour market (Yuval-Davis et al, 2019:24). Nevertheless, individual qualifications and personality are brought forward to matter as well, as expressed by **Adam:** “[...] personality is also important actually. [...] it is something with the individual, with the competence a person has as an individual. Not only, does not only matter, what country they come from.” This brings forward a meritocratic view, implying that the most qualified individual acquires the position (Behtoui, 2006:138). A perspective where effort, work experience and characteristics are of value however risks placing the responsibility on individuals, instead of highlighting structural discrimination based on ethnicity (de los Reyes & Kamali, 2005:8; Rätzzel, 2006:129). However, with this discussion, I do not wish to imply that personal characteristics and qualifications never matter. Instead, I want to acknowledge that structural racism in the labour market does influence the youth’s opportunities, where Haji’s story of racism and the discussion about foreign names serve as examples of this. But then again, as Haji’s experience equally exemplifies, resilience prevails.

### 8.3. “Unforeseen” consequences of *gymnasielagen*? Exploitation, legal violence, and irregularity

While the journey has not been smooth for the youth who have participated in this study, they have reached their goal of obtaining PUT. Nevertheless, there are consequences with laws as *gymnasielagen* with its encompassed liminal legality, that have effects on both individual and societal levels. Several of the participants, while none have experienced it themselves, highlight that *gymnasielagen* leads to exploitation in the labour market.

**Adam:** “I know many youths who have contacted me that their employer in some way, uses them. They know that some people need jobs, they can’t quit, they can work extra,

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<sup>7</sup> Gymnasiearbete is a paper written in the final year of upper secondary school, necessary to graduate.

they get paid less. Because they know, they do not dare to resign themselves. They have to have a job, or else they will get deported.”

**Ali:** “But sometimes one gets used by employers because the employer has, she or he, knows your situation. You will go all in, you will thank, you will not thank no to anything.”

**Haji:** “You might get used, like Ali pointed out, also if they know your situation, they can use you in any way.”

Being in a state of liminal legality thus increases the risk of labour exploitation (Farcy & Smit, 2019:632). This, according to Menjívar and Abrego (2012:1403), represents legal violence, where the fear of deportation, generated by a law, steers migrants into mistreatment. Hence, *gymnasielagen*'s legal framework becomes a facilitator for labour exploitation and abuse, constructing unequal and insecure realities for some of the youth. However, legal violence does not merely become apparent in the effects of labour exploitation, it likewise becomes evident as a result for those who do not manage to fulfil the requirements necessary to gain PUT. Those who do not make it, become irregular migrants with no legal right to stay in Sweden. While some might get deported, many decide to stay in Sweden and live as undocumented:

**Siri:** “Because many will not want to, they do not want to return. They will go underground [...] So many are going to stay here I think, illegally.”

**Simon:** “There are very many there who do not succeed to get a job, which means that they probably, most of them I can imagine, are still in Sweden (pause) and then they end up in a parallel society [...] I can only imagine that pressure, that 'okay I am not allowed to be here, I can't go back to my home country' [...] and like, they never get to start their lives and that must be terrible. I can't even imagine how that is like.”

For youth deciding to remain in Sweden, a reality in a parallel society at the margins of Swedish society seems to be facing them. This encompasses vulnerability and legal violence, amplified by exclusion, segregation and blocked upward mobility (Menjívar & Abrego, 2012:1411;1413). Moreover, *gymnasielagen* likewise brings forward how irregularity is generated through unrealistic legal requirements (Farcy & Smit, 2019:638). In this case, expecting the youth to get full employment six months after graduation. Thus, temporary permits generate irregularity. Therefore, I argue in agreement with Chauvin and Garcés-Mascareñas (2014:423), that



illegality is a product of law. Although *gymnasielagen* produces irregularity, several of the youth decide to stay in Sweden regardless of their legal position, creating consequences that Adam develops further:

**Adam:** “And then they [the politicians] have not thought about, they have not thought ‘okay what happens if these people do not find a job?’ Yes, what happens then? Then loose, they are not allowed to work anymore. When you don’t work, what happens then? Then they do other things, they go, they become criminals, they work illegally, they sell drugs, they don’t have a choice. They have to go that way. So, it is not that weird that we have so many people that... I mean that criminality rises, more youth sell drugs, they don’t have a choice! We will get more people who use drugs, will sell drugs on the street because they cannot work legally [...] so this has to change. Because otherwise, all youth will become criminals. I am not saying that they are stupid, instead, they have to go there. I would have done it. If I, for example, would not have gotten a job here.”

While irregular migrants should not be associated with criminality, since it risks (re)producing a dehumanising view where one encompasses the other (Menjívar & Abrego, 2012:1389), Adam’s quote does highlight how liminal legality put the youth in a vulnerable position that increases the probability of participating in criminal acts. Thus, illustrating that *gymnasielagen* does not merely encompass youth with no legal status, but likewise potentially steers them into illegal actions. Finally, *gymnasielagen* can be seen as a part of a bigger European trend, where temporary permits are becoming the mainstream of refugee law (Schultz, 2021:172). This, as demonstrated above, generates insecure everyday realities for migrants, where legal violence in the form of irregularity, exploitation and increased criminality becomes its effects.

#### 8.4. Reaching the goal – voices from a state of permanent residency

To reach the finish, I wish to present some final experiences that have come forward in the interviews. Although this section not necessarily will be presented in an analytical matter (which has been the aim of the chapters above), I want to cite the voices of Haji, Ali, Anonymous and Adam one last time. With this, I aim to bring this journey of going from temporary to permanent permits to a full.

**Haji:** “So anyways, after one gets to stay, or permanently, so one, you know, life is much nicer anyways. One feels kind of calm, one feels much more, like, excited. Okay, I have to work to get myself a better life. I can plan from how much, ‘okay what will I do in five years? What will I do in ten years in Sweden?’ I can plan that now for sure.”

**Ali:** “So, like, today I am content with my life and my situation actually. Because I succeeded to get PUT through *gymnasielagen* and then, I could skip those thoughts, that stress I had before. Like, can plan for my future and maybe start studying again and do what the hell I want!”

**Anonymous:** “It feels quite nice. Like, you can decide for yourself and there is no one else who influences. I am safe in Sweden. I am cheering for Sweden! \*laughs\*”

**Adam:** “But still, the feeling I have is maybe more, that I can relax, I do not think much more on... Right now, I can plan better.”

When I asked Adam what his dreams are for the future, he gave me a notable answer: “My dream is that the world is going to get better.”

Moreover, there are several other youths in Sweden today that do not reach the goal of obtaining PUT. Thus, to bring forward wishes of a different law and outcome, Elisabeth’s, Siri’s and Simon’s voices will serve as recommendations or requests regarding the future for those included by *gymnasielagen*:

**Siri:** “Extend the possibility, like extend the time to get a job. At least half a year, so it is one year and also, it is also socio-economically more sustainable than now, when one is given such a short deadline. So little time, so many years, so many people that have committed, so many resources put in and then one gets six months. That is, like, absurd, I think it is a joke.”

**Simon:** “I have landed in that, like, the only reasonable, both for our own money and above all for compassion, and above all to get this of the agenda, that is amnesty.”

**Elisabeth:** “That one is generous towards those who now are hidden [...] there I really hope they can be generous and see ‘yeah, you have been here in Sweden, you have still, so that’ that they... but that is... I do not even dare to hope for that.”

## 9. Conclusion

With the means of conducting feminist research, where situated knowledge and lived experiences have been centred to move beyond a single category, we have now reached our final point. From this feminist standpoint, this study has brought forward limitations, opportunities and conditions that influence these aspects, illustrated by those that *gymnasielagen* has affected. With this ending part, I wish to bring forward a summarization of the findings in the analysis. In this manner, I hope to connect the dots, show the twists and turns, and present some conclusions regarding the journey through temporality facilitated by *gymnasielagen*. Finally, suggestions for further research will be offered.

For Ali, Haji, Anonymous and Adam, as for many other young people who had experiences of unaccompaniedness, *gymnasielagen* opened up a route to permanent residency in Sweden. Some parts of civil society followed along on this route, where people like Elisabeth, Siri and Simon offered their support. *Gymnasielagen* enabled hope for the participants, giving the youth a second chance, however, its tough requirements encompassed obstacles along the way. These demands aligned with the mainstream of refugee policies today, where temporary permits and obligations of contribution to the labour market are the norm (Sager & Öberg, 2016; Schultz, 2021). Nevertheless, politics are an inherent component of *gymnasielagen* and several of the participants voiced that politicians overlook *gymnasielagen's* humanitarian and socio-economic consequences. Instead, as Adam expressed, the law is part of a “political game”, using the youth as pawns in the political game plan. If these remarks reflect reality, Swedish politics are sincerely in what Dahlstedt and Neergard (2016) call a ‘crisis of solidarity’.

The temporary permit that encompassed *gymnasielagen* placed the youth in a state of liminal legality (Menjívar, 2006), where a requirement for PUT was full employment. However, as several of the youth expressed in the interviews, school constituted the road to permanent residency. The necessity of succeeding in school and finding a permanent job becomes a question of ‘performance-based deservingness’ and ‘employment-based deservingness’ (Chauvin & Garcés-Mascreñas, 2014). Moreover, while being in this state of ‘liminal legality’, likewise a ‘continuum of deportation’ (Sager & Öberg, 2016) existed. Aware of the stakes, with deportation as a potential outcome, the youth adapted their everyday behaviour to *gymnasielagen's* requirements. This on the one hand highlights what Foucault (1993) names ‘techniques of domination’, where the youth are coerced by the Swedish government to adapt to the laws’ requirements, or else PUT will not be granted. On the other hand, as made evident

by for instance, Ali, Haji and Adam, ‘techniques of the self’ (ibid.) were likewise present, when choosing to de-prioritise free time. *Gymnasielagen* thus represents the equilibrium of governing, with domination techniques on one side and self-governing techniques on the other.

Furthermore, several other strategies beyond ‘techniques of the self’ came forward in the interviews. For instance, some of the youth adapted their choice of school program to labour market needs. Moreover, networks and social capital were likewise a valuable strategy, implemented to face borders that hindered the youth from entering the labour market. This illustrates legal-consciousness and non-legal strategies that turned limitations into opportunities. Simultaneously, these strategies are utilized to counteract structural limitations when in a state of liminal legality, showcasing agency (Farcy & Smit, 2019). These contexts where strategies are implemented equally demonstrate the occurrence of ‘bordering’ (Yuval-Davis et al, 2019), which captures how these processes are both a product of *gymnasielagen* and societal structures. For instance, experiences of racism and discrimination signify a structural ‘bordering’ process, where foreign name in particular was brought forward as a limiting characteristic. Additionally, Haji’s experience highlighted the suspicion and racism that boys with experiences of unaccompaniedness frequently face (Wernesjö, 2020). Although Haji talked back, which showcases agency, these experiences illuminate postcolonial aftermaths.

Moreover, the youth entered a labour market where temporary jobs are the norm. Thus, finding the permanent position necessary for PUT was not an easy task. Additionally, the labour market was characterized by ‘racialized legal-and social hierarchies’ (Hallett, 2014), where laws as *gymnasielagen* with temporary permits force the youth to enter a neoliberal labour market, where only certain occupations are attainable, (re)producing this segmentation. This segmentation is also present in society as a whole, creating an ‘us’ and ‘them’, withholding migrant subordination. These kinds of migration law effects are what Menjívar and Abrego (2012) label ‘legal violence’, which becomes apparent by the youth’s seclusion to certain jobs, steering them into the working class and limiting their upward mobility. Their upward mobility was also hindered due to *gymnasielagen*’s demand of entering the labour market, which limits access to higher education before PUT is granted. Legal violence was likewise evident in the body, where mental illness and stress was part of living in a state of liminal legality.

Furthermore, *gymnasielagen* has consequences in the realm beyond the lived experiences of the participants in this study. However, they noted the risk of labour exploitation, since

*gymnasielagen*'s youth get used by employers due to their vulnerable position. For those who do not reach the goal of PUT and therefore face deportation, life in a Swedish parallel society becomes the route chosen by many. Likewise in this context of irregularity, labour exploitation is an immediate risk. Moreover, for Swedish society as a whole, as observed by Adam, irregularity, encompasses increased drug use and participation on the drug market, once again showcasing legal violence. Further, this scenario illustrates that "illegality" is a product of a law (Chauvin & Garcés-Mascareñas, 2014), since *gymnasielagen* and its liminal legality encompass irregularity and illegal actions in a parallel society. Consequently, this (re)produces the dichotomy between 'us' and 'them', maintaining 'Fortress Europe' on its feet.

In a context of increasingly strict migration policies grasping hold of 'Fortress Europe', where permanent residence permits are replaced by temporary, mainly repealed by obtaining full employment, one might wonder if *gymnasielagen* was a final breath of Swedish solidarity. Nevertheless, the law represents the political division present in Sweden and Europe on a larger scale: inclusion vs. exclusion of migrants, where temporary permits seem to be the road in-between. In this process, neoliberalism determines that migrants' permanent residency is based on the premise of contribution to the labour market. While these streams are gaining power in Europe and Sweden, let this study perform as an example or maybe rather, a cautionary tale, of what temporary permits might entail for migrants and Swedish society in the future.

### 9.1. Suggestions for further research

To continue on the road of feminist research, I suggest bringing forward lived experiences and situated knowledge that migrants hold, to avoid homogenisation. Although this study presented some experiences and perspectives of those affected by *gymnasielagen*, knowledge production is far from done. Therefore, I recommend exploring the effects of *gymnasielagen*, during and beyond, on an individual level while simultaneously connecting the broader streams of the world, such as neoliberalism and postcolonial thought, into people's lived experiences. Additionally, I urge to include voices of girls and women, since this study merely involved youth identifying as men. In this manner, intersectional and situated knowledge can be developed by including additional experiences. Moreover, in a Swedish setting where temporary permits seemingly are becoming the new norm, future research should bring forward experiences and perspectives from this position. In particular, situated knowledge from the labour market should be highlighted, since it is this site that determines who is granted permanent residency or not.

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## Interviews and dates

Focus group interview: 3<sup>rd</sup> of April 2021.

Individual interview 1: 24<sup>th</sup> of March 2021.

Individual interview 2: 6<sup>th</sup> of April 2021.

Individual interview 3: 7<sup>th</sup> of April 2021.

Individual interview 4: 12<sup>th</sup> of April 2021.

The interviews are available for review.

# Appendix

## Interview guide – Activity-based focus group

This interviews guide was likewise utilized in the individual interview with one of the participants that has been included by the law. However, the mindmap activity was not included.

### Introductory questions

Tell me about yourselves and your lives here today.

- Name, work, how long have you lived in Sweden, when did you get PUT, etc.

Tell me about your lives in Sweden before you got a temporary residence permits through *gymnasielagen*.

Tell me what you thought about *gymnasielagen* when you heard about it for the first time.

- How have these thoughts changed?
- What are your thoughts about *gymnasielagen* today?

Can you tell me about which effects *gymnasielagen* had on your lives?

- What opportunities did *gymnasielagen* give you? How, in what way?
- How have you been limited by *gymnasielagen*? In what way?

### Everyday life in Sweden

#### *Mindmap*

Write down what you think about when you hear ‘*gymnasielagen and everyday life*’.

*Questions asked after the mindmap was completed:*

Tell me about how *gymnasielagen* affected your everyday life.

- Positive ways, negative ways.



What did you usually do in your free time?

- Did gymnasielagen affect what you chose to do in your free time? How, in what way?

Tell me about people that were important to you in your everyday life.

### School

#### *Mindmap*

Write down what you think about when you hear '*gymnasielagen and school*'.

*Questions asked after the mindmap was completed:*

Tell me about good and bad experiences of attending upper secondary school when you were included by *gymnasielagen*.

How did you perceive your time at upper secondary school?

- Possibilities/limitations?

Tell me about how *gymnasielagen* affected your choice of study program at upper secondary school.

Tell me about people that were important to you when you were attending school.

### *Gymnasielagen and work*

#### *Mindmap*

Write down what you think about when you hear '*gymnasielagen and work*'.

*Questions asked after the mindmap was completed:*

Did you work during the time you went at upper secondary school?

- If yes, with what?

Tell me about your experiences of looking for a job.

- What has helped you to get a job? Why?
- What has made it difficult to get a job? Why?

What limitations and opportunities exist in relation to work?

### Final questions

You have been living in Sweden for a few years now. So what do you think about living in Sweden?

- Opportunities/limitations?

If you could change anything about *gymnasielagen* what would it be? Why?

What dreams do you have for the future?

Is there any question you think I have missed to ask?

## Interview guide – individual interviews

### Introductory questions

Tell me about yourself and your project/organisation.

Tell me about how you got in contact with these youth that have been included by *gymnasielagen*.

Why did you decide to get involved in these questions?

- How did this involvement start?

How did you hear about *gymnasielagen*?

- What were your thoughts when you heard about *gymnasielagen* for the first time?
- How did these thoughts change during the years?
- How do you see *gymnasielagen* today?

### Gymnasielagen

Tell about how you perceive that *gymnasielagen* has influenced the lives of the youth.

- Possibilities/limitations?

How do you perceive that *gymnasielagen* has influenced the youth's everyday life?

- Positive/negative ways?

How do you perceive that *gymnasielagen* has influenced the youth's time in school?

- Possibilities/limitations?

### *Work and the project*

What do you do to find work for the youth?

- What challenges do you meet in this process and how do you handle them?

How do you perceive the youth's position on the labour market?

- What aspects have helped the youth to get work?
- What aspects have limited the youth from getting work?

What and who has been an important support for the youth? Why?

What marks have these youth left on you?

### Final questions

What dreams for the future do you have for these youth?

If you could change anything in *gymnasielagen*, what would it be?

Do you think I missed to ask something?