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International Students and the Rule of Law

A socio-legal inquiry of experiences of law and legality in everyday life

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Abstract

International students migrate to study in foreign jurisdictions for many reasons. They face a number of challenges upon their arrival. These social, cultural and economic challenges can make it hard to integrate fully into the Swedish system. Students are also caught in the wider tension between universities and government policies. Higher education institutions in Sweden have promoted internationalization policies in order to diversify their learning environments conflicting simultaneously with government imposed barriers to migration to Sweden.

This thesis explores what problems and resources shape the interactions between international students and authorities in Sweden. At Lund University in Sweden, an international education institute, tracing how students interact with and describe experiences with authorities and problems is explored in this thesis study of legality. Legality, a key concept in the research pioneered by Ewick and Silbey (1998) can be used to explore and explain the power of norms and laws in everyday life from the perspective of individuals.

Using qualitative semi-structured interviews, the study found that international students face discrimination, segregation and procedural issues in everyday life. They rarely solved them using the legal system because of a lack of access to resources. These resources can be legal knowledge, language proficiency, economic capital, social connections or political connections. Whereas students participate in the system at a disadvantage, international students indicate that there are people in Sweden who are better equipped to leverage resources to make law work more efficiently.

Although Sweden promotes itself as a country governed by the rule of law principles, the semi-structured interviews conducted with current, full program students at Lund University indicated, international students commonly feel less secure in Sweden. By using critical legal consciousness approaches by Ewick and Silbey (1998), this research found that international students are unable to frequently participate in the social construction of legality in a way that their counterpart Swedish nationals can, due to their lack of resources. The themes of segregation, discrimination and procedural (in)justice that emerged from the data are embedded in the larger field of legal consciousness of migrants. While certain findings were concluded from the stories of the participants, they are context specific to the participants. More conclusive longitudinal studies of international students are still needed to illuminate the consequences of segregation, discrimination and procedural (in)justice.

Keywords: international students, critical legal consciousness, law in everyday life, segregation, discrimination, procedural (in)justice, migration, semi-structured interviews.

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Table of Contents

Abstract	2
Acknowledgments	3
Table of Contents	4
1. Introduction	5
1.1 Thesis disposition	6
1.2 Research problem, research aims and research question	6
1.3 Background	8
2. Literature Review	9
2.1 Legal consciousness of migrants	10
2.2 International students and legal consciousness	11
2.3 Critical hegemony vs. law in action approach to legal consciousness	12
3. Theoretical Framework	13
3.1 Schools of legal consciousness theory	14
3.2 Procedural justice and legal consciousness as attitude	16
3.3 Ewick and Silbey theory of legal consciousness	16
3.4 Before the Law	16
3.5 With the Law	17
3.6 Against the Law	17
4. Methods	18
4.1 Research design	18
4.2 Research method	19
4.3 Research ethics	20
4.4 Data collection	21
4.5 Handling the data	22
5. Findings and Analysis	23
5.1 Students and segregation	23
5.2 Students and discrimination.....	26
5.3 Students and procedural (in)justice	28
6. Discussion	31
6.1 Before the Law	31
6.2 With the Law	33
6.3 Against the Law	34
7. References.....	36
8. Appendix	40
I "Open invitation for participation in MS.c Thesis Project" Letter	40
II Interview questions	41
III Coding matrix, meta and micro codes	42
IV Pseudonym list and region of origin	43

1.0 Introduction

People who migrate are caught in a cycle of access and exclusion that shapes their identity, constructs attachments with the law and formulates understandings of the rule of law. Occupying a social position in a society as an ‘outsider’ could make an impact on how the person chooses to act in society that is ordered by law. The law forms the fundamental framework on how social relations ought to proceed by stabilizing expectations and making outcomes predictable. State law also prescribes that migrants need to prove their identity, to declare, and to register in agencies of the state (Dauvergne, 2004).

Currently a growing group of migrants, international students, may serve to be unique legal ambassadors because of their reference points and knowledge of law from various jurisdictions. Higher education continues to be an attractive reason to migrate to Western countries, with rates of education migrants rising every year (OECD, 2022). Whereas students may travel abroad for various reasons to study, studies that capture their diverse perspectives and motives for doing so are lacking from the current academic literature, not least on legal consciousness research.

Unlike other migrants, international students are more impressionable stakeholders in the future governments, businesses and societies of tomorrow (Cerna & Chou, 2023). They can remit ideas about how the law ought to work back to their home country by increasing knowledge and capacity (Kubal, 2015). By having memberships in multiple societies, international students might experience norms and laws differently by virtue of their comparative perspective. Researching the legal consciousness of migrant students may shed more light on barriers to integration into society after studies and can allow new indications to emerge to examine if the rule of law is not protecting everyone under its jurisdiction equally.

Education migrants enter new jurisdictions with diverse and multiple reference points for how things ought to be. International students access these resources which can take the form of legal knowledge, transnational networks, knowledge about cultures and languages, amongst others. In some instances, resources can become scarce creating barriers to social mobility, freedom of movement, and integration into society. Resources are also spent navigating bureaucracies and

administrations in foreign languages, which may foster insecurity within the everyday life of migrants.

In Sweden, higher education institutions have prioritized internationalization policies that encourage students from different countries to study at Swedish universities (STINT, 2024; Shih, 2023). Some faculties at Lund University have even gone as far to institute policies to boost the international aspects of programs (Faculty of Social Sciences, 2020). These policies conflict with progressive tightening of regulations on migration laws, including permits for students studying in higher education (Government Offices of Sweden, 2022; Banas, 2021). In some cases this situation may send mixed signals to prospective students about if they are desirable and if they will be secure during the duration of their studies.

System level challenges may also coincide with everyday issues for international students. This research aims to unpack the stories shared by international students about the way things at Lund ought to be. By tracing their experiences, the research reveals some common stories of system segregation, discrimination and inequality.

1.1 *Thesis disposition*

Following the research outline and delimitations provided at the beginning, I then include a literature review and a theoretical section where I situate the legal consciousness approach to the thesis. This is then superseded with a methodological outline. Next, the analysis section will go into the three schemas of Ewick and Silbey (1998) critical legal consciousness approach succeeded by a conclusion discussion where the final results of the study are discussed.

1.2 *Research problem, research aims and research question*

Politicians and legal professionals often debate the receptivity and power of laws in shaping the society that people live in. Law in society scholars continue to debate the so-called ‘gap problem’ by citing Roscoe Pound. Pound highlighted implementation challenges of law by simply describing that some laws can only be found ‘*in the books*’ and are not easily able to be

seen operating in society '*in action*' (Halperin, 2011). The force behind the rule of law is a compelling reason to do as law prescribes with the consequences being physical, economic and social sanctions to varying degrees of intensity. The gap problem has been a compelling nexus for socio-legal inquiry (Nelken, 1981). As it exposes the limitations with mending discrimination, segregation and inequality through only legal instruments.

Different groups of people experience the law in various ways, yet law still finds a way to shape our opinions, actions and behaviors in society (Banakar and Travers, 2017). The cultural experience of law might differ for migrants because of their transnational backgrounds and their varying interpretive perspectives. The term 'migrant' can be used to describe many different types of people who move from one country to another for work, to be with family or loved ones, or in this case for education (Douglas et al. 2019). Education migrants or international students as this paper will call them, have various motivations for seeking to study abroad.

International students do interact with multiple transnational authorities and may perceive some differences based on comparison and cultural differences between Swedish and non-Swedish authorities. There has been extensive research done on how migrants perceive law as a social structure by scholars employing legal consciousness techniques. These studies have focused on exposing insecurity with the majority of studies being done on insecure groups like refugees (Eule et al. 2019), undocumented persons (Abrego, 2008, 2011), families (de Hart & Besselsen, 2020). However international students can also be insecure in the foreign system navigating bureaucratic agencies in different languages with little information of how things ought to be in the process. Existing studies are focused on how insecurity is prevalent for the undocumented, however everyday experiences of documented persons is under explored (Guduk & Desmet, 2022).

Higher education institutions in Sweden have implemented broad policies that push to internationalize learning environments but often without detailing how they will mitigate challenges (Lund University, Faculty of Social Science, 2020). The implementation of these agendas might conflict with obstacles imposed by the Swedish Migration Agency that issued the permits (Migrationsverket, 2024). International students can find themselves entrenched between

many types of legal frameworks like administrative law, migration law, and education law. Migrant students might also find challenges added to everyday life due to the tension of differing policy objectives carried out through laws (Cerna & Chou, 2019).

This research aims to explore how international students experience law in everyday life in Lund, Sweden. This study utilizes interviews with current international students in Sweden to better understand how they, in their everyday life, participate in the social construction of legality to make law work (see Ewick and Silbey, 1998). This investigation presents the data from seven semi-structured qualitative interviews with current students at Lund University in Sweden. The research was guided by the following question:

How do international students at Lund University experience law and legality in their everyday life?

1.3 Background

Public non-acceptance of the rule of law can be a contributing factor to institutional erosion within society. The story that law tells about itself is one in which law protects, it blasts through discrimination and it is just and equal. Sweden promotes itself as a defender of the rule of law (Informationsverige.se, 2024). The rule of law may not apply equally as critical scholars have exposed an underbelly to the self-referential tale law reinforced in Sweden (Eule et al. 2019. pp. 55-59). Law governs power relations, economic relations and social relations. Law makes up more of a hidden cultural power structure that manifests itself through everyday life of its agents (Ewick and Silbey, 1998, p.33-40). In their everyday life, international students must engage with law and more often than not, this means simultaneously dealing with two or more legal systems (Eule et al. 2019, pp.43-45). They are compelled to establish themselves in new legal systems in order to participate in their international education programs.

Education migrants may travel to Lund University in Sweden for different reasons and their interactions with authorities and bureaucracy may be adjusted because of their citizenship and background. EU students are able to study in Sweden tuition free compared to other Universities in Europe, so many EU students come to Lund to access their education at no-cost

(Migrationsverket, 2024). Another group of international students may travel to Lund because they received a scholarship, allowing for an education in Europe with the prospects of a better job market after studies. Others travel because of their background with some students at Lund opting to study here based on their dual nationality status, also enabling them to study tuition free (Migrationsverket, 2024). Non-scholarship Students with Non-EU citizenship(s) must apply for and fund a residence permit in Sweden in addition to paying tuition fees. In some cases, this may incentivize students that come from more economically affluent families to study in Sweden because the financial costs may be too high for the majority of students in these countries.

In the case of Sweden, changes in migration policy might also pose a growing legal barrier to internationalization policies at universities like Lund University¹ (Government Offices of Sweden, 2022; Faculty of Social Sciences, 2020; Lund University, 2024). Increasing the monthly maintenance fee for permits through legislation might further financially block certain students from studying in Sweden (Migrationsverket, 2024). The current legal consciousness study on international students at Lund could provide new insights to better understand where there could be gaps in the equal protection of the rule of law in Sweden.

The primary data in this study are from interviews. An effort was made to recruit participants from non-EU countries of origin. For this study the interviews were also conducted in English which could produce some challenges for participants speaking in their second language. As an international student here at Lund, part of my choosing Lund to conduct my interviews was that I have access to participants who would feel comfortable talking to a fellow student. In the next section I aim to cover the relevant academic and empirical literature which will be followed by the theoretical framework.

2.0 Literature Review

In this section, the existing literature is presented in three parts based on interconnected themes around legal consciousness. The foundation for where to begin in the field starts with

¹The researcher has been employed at the Department of International Marketing and Recruitment at Lund University for three years prior and during the duration of writing this thesis.

empirical literature on legal consciousness in migrants. Applications for legal consciousness studies on international students as migrants are then discussed and the limited field is critically discussed in the final section.

2.1 *Legal consciousness of migrants*

The existing literature on migration and the rule of law is a well-developed intersection with scholars both in sociology of law and other disciplines researching how the rule of law impacts migration experiences (Dauvergne, 2004; Ellermann, 2014; Gatta, 2022). One of the main challenges to harmony amongst the studies of legal consciousness is the epistemological and ontological differences between different groups of researchers. The empirical literature has a range of different theoretical stances that are used to explain the underpinnings of how and what to address and examine with regard to legal consciousness research.

These differences can also impact the methodology used to study migrants. The main debate is around the level to which people create their own consciousness (agency) or if they get it through relational means (structure) (Guduk & Desmet, 2022). The unifying complexity between the different sides of the empirical literature, is that migrants have complex inputs in receiving and comprehending legal information and resources (ibid). The complexities stem from instances in everyday life when migrants have to access and utilize government services like education, labor and health care (de Hart and Besselsen, 2020).

These complexities and challenges stem from a two pronged agenda to 1) integrate into society while at the same time 2) navigate the harsh periphery of being an outsider (Guduk & Desmet, 2022). To address this, some legal consciousness research focuses on the legal barrier or knowledge of the legal system, specific jurisprudence and legal norms in order to identify how the law is enabling or mitigating discrimination and inequality in society for migrants (Abrego, 2008; 2011; Flores et al., 2019; Gleeson, 2010). On the opposite side, some scholars focus on aspects concerning how the law is *perceived* rather than the knowledge of the statute itself. These scholars focus on the migrants' experience of the system rather than testing their knowledge of laws (Cowan, 2004; Chua and Engel, 2019, p. 336)

Guduk and Desmet (2022) lay out a comprehensive agenda for future research that corresponds well to the aims of this study. A large portion of literature has focused on undocumented migrants, producing valuable contributions to the existing knowledge on how migrants experience and act in legal societies, regularized-status migrants like international students are understudied groups (ibid.). Migrants that travel for educational purposes might seek high wage jobs afterwards, and the barriers to integration are still understudied (ibid.). Migrants who study outside of their country are a relevant and timely study subject as their potential challenges as regularized participants in a foreign system might help to signal systemic adjustments (ibid.). The existing empirical literature shows the need to study international students within the migrant legal consciousness discourse. The next section will focus on the existing empirical literature, or lack thereof, of international students' legal consciousness.

2.2 International students and legal consciousness

International students are a subcategory of a larger group of migrants being studied by scholars. They also are part of a wide field of study of students and legal consciousness. Overlapping with both groups, they continued to be an understudied group even as they continue to grow as a category for why people migrate (OECD, 2022). There is ample literature of regular students and legal consciousness that focus on knowledge of the law (Santos et al. 2017; Abrego, 2008; Bieliauskaite & Slapkauskas, 2015; Priess et al. 2016). However, there is a lack of critical articles focusing on experiences and perceptions of international students on law and legality.

The distinction between different types of legal consciousness studies can be divided by four different varieties (Halliday, 2019). Critical theories that take after the work in Ewick and Silbey (1998) of the hegemony of law in everyday life and the variable counter hegemony. Distinctly different from the other types of legal consciousness, critical theory empirically tests for the manifestation of legal coercion in the social participation of individuals in their relationships and everyday social exchanges (Halliday, 2019). This thesis aims to explore intersection between law and equality and critical legal consciousness is a useful way to operationalize structural theory of

hegemony to do so. Power is distributed by law in the system is unevenly distributed between actors at different ranks in various social, class and economic levels (Halliday, 2019).

Within the empirical literature found on students and legal consciousness, there seemed to be a dichotomy between the theoretical underpinnings of critical legal consciousness (Abrego, 2008; 2011) and law in action theory (Evstafieva & Ponomareva, 2019; Mischenko et al. 2021). These differences in theoretical underpinnings are the root cause of some linguistic strife as outlined by Silbey (2005), but can, however, also seriously impact the methodological approaches that scholars use to study legal consciousness in students.

2.3 Critical hegemony vs. law in action approach to legal consciousness

Law in action approaches to legal consciousness focus on how law is *used and known* which is different from critical scholarship which evaluates the role of law in society. Law in action investigates the role of law in society without challenging the power of law by searching for the positivist manifestations of law from the books in society. This compared to critical hegemony which aims to trace the threads of power in a system governed by class, capital and social relations (Halliday, 2019). Previous research investigates student legal consciousness from a law in action approach employed to measure the level of legal knowledge each student has (Evstafieva & Ponomareva, 2019; Mischenko et al. 2021). Legal knowledge or awareness is a constituent part of some critical hegemony inquiries, however in order to trace law's power in society researchers use indicators other than the law on the books to find the source of why people follow the law (Silbey, 2005).

In some of the articles that focus on students in relation to the law, what constitutes law is tied to formal, state codified law (Hertough, 2018; Evstafieva & Ponomareva, 2019; Mischenko et al. 2021; Abrego, 2008; Santos et al. 2017; Preiss et al. 2016). This could be because of different theoretical positions of the scholars. However, by limiting the authority and legitimacy to state law, normative expectations guide students into a dichotomy of either deviance or cooperation (Silbey, 2005; Halliday, 2019). Critical legal theory, of which critical legal consciousness has its roots, targets why does law have such a strong hegemonic force that dominates everyday

experiences (Silbey, 2005; Halliday, 2019). Since the articles presented on students lack critical investigation into why the law is present or absent, what they explore might be better classified as legal knowledge rather than legal consciousness (Evstafieva & Ponomareva, 2019; Mischenko et al. 2021).

In the search for empirical data on international students and their legal consciousness there was a noticeable lack of critical scholarship investigating the role of law in international students' lives. In the papers found for this research critical investigations were not the main focus of students and legal consciousness (Evstafieva & Ponomareva, 2019; Mischenko et al. 2021; Abrego, 2008; Santos et al. 2017; Preiss et al. 2016). Some methodological differences were evident with some of the literature opting for qualitative methods, which are better suited for analyzing with a critical approach (Abrego, 2008, 2011; Preiss et al. 2016), while other literature used quantitative methods which were connected to more law in action legal knowledge studies (Evstafieva & Ponomareva, 2019; Mischenko et al. 2021; Santos et al. 2017). Methodological differences in law in action studies from critical studies can also limit counter-hegemonic conclusions because law in action studies focus on law's manifestation. Rather than by searching for other sources of authority like critical studies do. In order to better understand these relations, and explore the question of how *international students experience law and legality in their everyday life*, I will explain my ontological, epistemological and theoretical framework in the next section.

3.0 Theoretical Framework

In this section, I will explain the theoretical underpinnings of the critical legal consciousness theory that was applied to the interview data collected. By using a critical approach to interpreting the data, I am able to explore the perspectives of how law works to either support or cripple access to services and resources that enable full participation in society for international students. The distribution of power, based on how that is perceived, is important to building the foundations to understanding how inequalities are supported in systems regulated by laws like migration and integration.

I approach my study from a subjective ontology, in which reality is derived from the experiences and beliefs, particularly from those interviewed. I will be using the critical tripartite theory from Ewick and Silbey (1998) as my epistemological starting point to what knowledge I can interpret from the interviews. Ewick and Silbey's theoretical clarity with their construction of legality helps to answer the research problem of how international students experience the difference between law and legality in their everyday life. With particular interest to how international students experience the rule of law through access to information and resources like legal knowledge, capital, property through social relations in a new country.

3.1 Schools of legal consciousness theory

Within the theoretical literature on legal consciousness there are three schools of research: the identity, hegemony, and mobilization school (Chua & Engel, 2019). Each of which takes a different approach to a spectrum of how legal consciousness is constructed.

On the one hand, the identity school holds that individuals create their own legal consciousness, exemplified by Abrego (2011) studying undocumented students. The other side of the spectrum is the mobilization school which holds that only through social relations can people create a sense of legal consciousness. Stating that only when people mobilize the law are they forced to confront their idea of what the law's role is in their life, through their mobilization of law (Chua & Engel, 2019). The middle of the spectrum is the hegemony school, where relational and individual aspects mix constellating a critical perspective on the power derived from law in social systems.

Evolving from the seminal work of Ewick & Silbey (1998), where drawing on extensive case studies they wove interview data together to formulate set schemas about how legality was a socially constructed phenomenon. The hegemony school critically investigates law as a function of power used by actors with resources like legal knowledge and capital to further their goals in both official institutions and in everyday social relations. Individuals with their own identity-based perceptions of law are constantly interfacing within social relations that are constructed fundamentally from law. Law guides and regulates certain social behaviors by

regulating areas like exchanges of property and capital, regulating how people hold themselves in spaces and limiting or granting access to resources. However, perceptions of how these relations are governed and the subsequent sanction(s), are not equally distributed along the lines between people within society (Ewick & Silbey, 1998, pp. 33-56).

Through the analysis of their participants, Ewick and Silbey found, when confronted with problems and challenges in everyday life, most people do not invoke the codified state law provisions or statutes (1998, pp.33-56). They argue that cultural schema, not law dictates the proper proceedings of how to act, when to speak up or how to file a complaint with the authorities. These schemes also dictate various allocation of resources like legal knowledge, capital, and property by granting approval of certain ways individuals can distribute power within their social relations (ibid).

By emphasizing the duality of structure (the independent agents within social relations) Ewick and Silbey cite resources and schemas as the one of the main ways to understand the cultural construction of *legality* (1998, pp.33-53). Within their framework, people socially participate in the construction of law and legality. While the law refers to official institutions and actors, Ewick and Silbey argue that law is governed by a social power structure. Ewick and Silbey say legality can be a way to find power, because regardless of formal institution settings, everyday places constitute the social world which governs the rule of law (1998, pp.33-53). They employ the term legality to explain the phenomenon whereby people label cultural practices, meanings, and sources of authority as legal; even the connections to state law are remote. Institutions can also invoke legality by characterizing actors or actions as official or the opposite as 'lay' (Ewick & Silbey, 1998, p.22).

3.2 Procedural justice and legal consciousness as attitude

The critical approach to legal consciousness that Ewick and Silbey use to explain the social construction of law and legality has layered complexities that, due to the duration of this thesis, I am unable to sufficiently address in detail (1998, pp.49-53). Epistemologically, Ewick and Silbey argue that while legal consciousness scholars justify that consciousness can come

from attitudes or as an epiphenomenon, they address concerns about what they call the duality of structure (1998, pp.34-38). References to processes within law being wrong or 'procedural justice' which Ewick and Silbey categorize legal consciousness as an attitude (1998, pp.36-37). Procedural justice studies, like the one by Lind and Tyler, are focused on individual attitudes rather than relational consciousness (1988 cited in Ewick & Silbey, 1998). While trying to prove that individual attitudes contribute to consciousness, their study actually proved that there was a broad based consensus among participants.

3.3 Ewick & Silbey's theoretical framework of legal consciousness

Ewick and Silbey's approach describes three overlapping typologies that can be used to categorize different ways people refer to the law within their lives. These typologies were developed out of the analyzed data in their study. Each typology has an associated schema that dictates access and use of resources. Each of the following sections goes through a brief overview of the tripartite theoretical typologies. *Before* and *with* the law are part of the hegemonic order of law and *Against* the law express counter-hegemonic stories of resistance.

3.4 Before the Law

Modeled after the F. Kafka parable of law being a mighty and ornate door where only the man standing before its mighty entry way may enter, before the law is characterized by how law references itself and manifests itself in the marble courtrooms, with lofty language spoken by cloaked men in wigs, or the brutal force of police with complete just power (Ewick & Silbey, 1998, pp.74-107). Before the law was a way to categorize the stories people told that were deferential to the power of law as supreme and remote from their issues (ibid). A good example of before the law would be someone who could call the police but would choose not to because the crime was not important enough to *bother* the authorities (Ewick and Silbey, 1998, pp.65-67). Understandings of administrations, legal professionals and the judicial system where stories evoke the authority and omnipotence of law would fall into this view.

3.5 *With the Law*

With the law can is characterized by Ewick and Silbey (1998) as a game one can play. Therefore, with knowledge, will, and resources, law is used to further individual interests. Powerful players that occupy the upper echelons of society frequently employ this conceptualization because they have the economic capacity to solve their problems with lawyers and legal instruments (Ewick & Silbey, 1998, pp. 136-138). Certain levels of knowledge about the legal system or legal institutions may also feel that they have capacity to play the game law prescribed, allowing them to know the rules of where to begin, how to proceed and what they can expect their results to be (ibid.). Important to acknowledge, privilege may also be a resource that people employ this schema. People who are able to treat law as a game are able to because of their individual predisposition to gamify and their access to legal knowledge, economic capital and social networks to fortify their claims making process through legal channels.

3.6 *Against the Law*

Against the Law is characterized with arbitrariness and resistance by Ewick and Silbey (1998, pp. 181-189). This narrative comes forth when people are able to resist the power of law in their lives by employing various strategies that undercut, slow down or counter-act law. In order to do so their knowledge and resources in the system could be limited or inflated. To post a resistance to the power of law there needs to be some mobilization of resources based on a schema that insinuates a level of capacity. In this regard, the ability to hold a resistance stance may be because a person is unable to muster the resources in addition to believing the power in that case is arbitrary (Ewick and Silbey, 1998, p.182). Equally so, the person who has a large amount of resources like legal knowledge and economic capital may also resist the law in the case because they too agree that the power is arbitrary. Characterized by active resistance, the cases laid out by Ewick and Silbey (1998) to describe the typology push back against law.

In order to critically explore the experiences of law and legality of international students, which is the aim of this study, employing this framework outlines what to focus on within the interviews and how to interpret the data. In the next section, I will go into more depth about how

the theory connects to the constituent parts of the method used, particularly pertaining to the structuring of the interview questions and coding of the data.

4.0 Methods

In this section, I will be explaining the methods used to determine the design and collection of the data and explore how international students experience legality in their everyday life. I also discuss the ethical implications of doing research with international students and how I worked to protect the identity and stories of my participants.

4.1 Research design

To investigate the legal consciousness of international students, a series of semi-structured interviews were conducted in Lund, Sweden with students attending Lund University. A semi-structured approach was useful in this case although I had prepared some detailed questions beforehand, I wanted to allow the participant to guide and shape our conversation (Bryman, 2011, pp.471- 475).

The material collected was relating the participants' lived experiences as an international student at Lund. Each of the stories from each participant is their own experience and varied accordingly from participant to participant. Contextualized in a higher education system, their stories act as a small sample of a potentially larger international student experience that could be shared with other students in Sweden. However, for this study, since the interviews are limited to cases at one university, wider generalizability is not the aim of this study.

4.2 Research method

This study focuses on the personal experiences of law in everyday life at the micro level of analysis. As described by Banakar (2019), the methods should be able to address the research question at the corresponding level of analysis. Since this study is focusing on international

students specifically at Lund University, the methods align with focusing on interviewing to collect their personal stories.

The international students knew the topic of the research explained at each stage of the interview recruitment process². I focused on having the participant describe their community and how they differed from that group per the recommendations in Silbey (2018) to better allow the law to emerge. The theoretical framework provided from Ewick and Silbey (1998) was used to help distinguish more clearly the process for asking the questions in the interviews. Three groups of questions were asked to each participant: identity forming questions, questions about problems in everyday life, and specially law based questions (see Appendix II). I developed these questions from method design provided in Silbey (2018) which details how to develop questions for investigating law and legality with micro-level data from interviews.

Based on the methodical information in Silbey (2018) I purposefully focused on identifying forming questions at the beginning of each interview in order to build trust and rapport with each participant. Then using the key phrasing provided by the methods section in Ewick and Silbey (1998) and Silbey (2018) I prompted each participant to tell me some instances where they encountered *problems*. When asked about what that meant, I responded with the line provided by Ewick and Silbey (1998, p.253) ‘anything that was not as you would have liked it to be’. Each participant viewed solutions to problems differently, which I would ask about in my follow up questions. This tactic helped me distinguish differences between the participants' view of law and legality.

Semi-structured interviews make the conversation style between the interviewer and interviewee more dynamic (Bryman, 2011, pp.471- 475). I chose this style of interview because I wanted to allow the participant to lead me down different topics based on their problems that they found important, which is congruent with the theoretical stance provided in Ewick and Silbey (1998, pp.252-253). Each interview started the same way with the first group of questions (See Appendix II), sometimes other questions, and with the semi-structured approach, questions were answered unprompted.

² See Appendix I for *Open invitation of participation in MS.c thesis project letter*

4.3 *Research ethics*

Since discussion about law can bring up difficult and sensitive conversations, particular attention was placed to ensure the safety and security of the data, personal information and findings created out of this research project. Throughout each step of the processing of personal information, I have paid special attention to how I stored the data, where my data was located and how secure it was during the research process.

During the data collection process each of the participants were informed before the interview that their participation was completely voluntary and they would be able to revoke their inclusion at any time throughout the process up until publication. Before the interview began each participant was asked for their oral consent to participate in the study. I also shared information clearly outlining the purpose of the conducted research, the methods and how the data was going to be processed, which every participant consented to.

All of the conversations were recorded to audio files using a 256-bit AES-GCM encrypted *Zoom* meeting which was then stored locally on my encrypted computer disk. I used an encrypted data transcription service called *GoodTape.io*. The audio recordings were deleted after the research was transcribed, ensuring that the data would not be stored longer than necessary. Once transcribed the data was anonymized and not traceable to any participant. Personally identifiable information like names were coded into pseudonyms which disconnected the data from the person interviewed. These general protocols were modeled in accordance with existing guidelines and regulations (Vetenskapsrådet, 2017; Faculty of Social Science, 2023).

As part of the research ethics section described by Banakar (2019), positionality of the researcher is an essential safeguard in ethical research. I remain committed to making sure my research respects the diversity of backgrounds that encompasses international students. Not all students that study abroad do so for the same reasons. Therefore, during the duration of the study, my security procedures were my priority.

4.4 Data collection

For this study the bottom-up qualitative approach was modeled after Ewick and Silbey (1998) and Banakar (2019). From the beginning of the collection process, delimitations were placed on who would be able to participate in the study and when and how they would be able to participate. To accentuate diverse experiences from international students at Lund University, I implemented a series of qualifying criteria to sample participants with international backgrounds. I wanted to ensure that participants had been in Lund for more than 6 months, ensuring they had stories to tell about life in Sweden. I recruited current full time, degree program students at Lund University. I wanted to make sure that their backgrounds were international, participants had to be foreign nationals (passport holders from outside of Sweden) or would have to be a Swedish passport holder for less than 7 years, initially growing up somewhere other than Sweden.

I recruited participants from my personal network and professional connections. I sent out an invitation³ that detailed the methods and purpose of the project to various gatekeepers within bachelor programs, masters programs and through my position at LU International Marketing and Recruitment. I also posted the invitation on some of my personal social media pages. Every participant was directed to contact me privately through email and I followed up with them accordingly to schedule our meetings.

I initially scheduled a focus group however since no participants signed up, I opted to remove that component. A total of 8 people responded to be interviewed, 4 men and 4 women. Interviews took place between April 22nd through April 24th, 2024. Due to illness, one participant declined to be studied. The final group of participants skewed towards women. Three of the participants were EU nationals, with one of them born abroad and only becoming a Swedish Citizen in the last 7 years. All of the interviews were held in English.

³ See Appendix I for invitation.

4.5 Handling the data

Understanding how international students at Lund University experience law and legality in their everyday life is a process that requires some ability to sort the interview data through thematic codes in order to let law emerge through the data collected (Silbey, 2005).

When all of the data was collected, it was turned from a compressed m4a file to digital transcript using a digital service called ‘Good Tape’ which was developed by Danish journalists from the digital newspaper *Zetland* (Goodtape.io, 2024). Since the data sent is stored on EU servers, the data is then end-to-end encrypted making its transit to and from the servers GDPR compliant (Goodtape.io, 2024). After transcription, the data is not stored on the Goodtape.io servers, ensuring that only I have access to the data and transaction (ibid.). Artificial intelligence, used in the software makes transcription clearer but there is no generative function. I double checked this by listening to the original tape while re-reading the transcripts. Once the transcript was produced from Goodtape, I downloaded it to Microsoft Word document for further coding. Each participant was also given a pseudonym, made up completely at random, in order to personalize but protect the participants⁴.

Silbey’s (2018) approach to coding where large sections of information are coded with meta codes⁵ about certain topics and then are refined with word-based codes into macro data and micro data which constellated patterns. I contextualized this process by using thematic coding by Bryman (2011, pp.578-581). I read the transcripts multiple times, highlighting the main keywords of emphasis. I started to draw conclusions between the texts that developed into larger themes based on the theory that I employ (see section 3.3). Keywords akin to ‘lawyer’, ‘police officer’, and ‘bureaucracy’⁶ peaked my interest because of the relevance to the construction of law and legality. In the next section, I will showcase some of the ways international students experience law and legality in their everyday life. After which I will connect my findings back to my theoretical and background content in a rounded discussion.

⁴ See Appendix III for the list of pseudonyms and continents of origins.

⁵ See Appendix II for the full coding matrix used in data analysis.

⁶ See Appendix II for the full coding matrix.

5.0 Findings and Analysis

This section will focus on the findings derived from the data, every interview was different but three central themes were found within each of the participants' perspectives: segregation, discrimination and procedural justice issues. Each of the participants in the study experienced differing levels of experience with the themes depending on mediating factors: EU citizenship, level of Swedish proficiency, network of Swedish friends, and labor market access. Themes emerged out of the cross-referenced and coded data. Some of the participants drew direct correlations between their own cultural background, race, gender and class as reasons for being discriminated against, segregated or looped in procedural (in)justice.

5.1 Students and segregation

The first main theme that arose out of the data was segregation. Participants described several different instances, across different time(s) and space venues, where they felt separated systematically or culturally from the larger Swedish society. An isolating factor for several of the participants was their Swedish proficiency level. Several participants cited similar challenges to what Natalie faced. Natalie is a bachelor's student who was born in South East Asia⁷ but had become a Swedish citizen after living here for around five years. She said that she still felt excluded because of the language barriers:

“I will never feel that I'm integrated in Swedish society ... Whereas with Swedish, well, I'm just not too sure. I don't speak the language. I barely speak any, but I can read Swedish. But then again, I guess that's not enough. I'll have to behave like one. I'll have to, well, act like one.”

Susan, a masters student growing up in South America echoed Natalie's sentiments:

“It just felt a bit separated to be from the Swedish people, I guess, because I don't speak the language. So that's always a bit of a barrier. And usually the people that I was like,

⁷ Country names were swapped to country regions to anonymize personal details, see Appendix IV for full list.

you know, Swedish people that I was friends with, [an international perspective], like either their parents were immigrants or like such.”

Segregation because of language was also mirrored by Molly, an Non-Swedish EU citizen, who was studying a masters program here but grew up in a European country. She started learning Swedish because she wanted to further integrate into Swedish society:

“I think the reasons why people learn Swedish are different. Like, some people want to have work. Some people, they just want to have a Swedish partner. And for me, it was just, I just want to know what is going on around me.”

Different from Molly and Natalie, Steven, a masters students from outside of the EU, also cited language as a barrier for integration into Swedish society saying:

“I feel like no matter how much I study Swedish language and how much I advanced, I will still have this kind of limitation because I will not be able to pick up the subtle preferences, which you can only understand if you spend all [your] life living here.”

For each of the participants, to some degree the level of Swedish proficiency played a central role in limiting the access to society. Some cited a protective effect of having a network of Swedish speaking friends to assist in navigating a complex foreign system, bureaucracy and the rituals of life in Sweden. Proficient native speakers would be able to access key bits of information derived from language on signs, in the fine print, in contracts, from officials in a more intuitive way than non-Swedish native speakers.

This lack of knowledge of Swedish did seem to have a contributing impact on the ability to gather information about resources and understand the schemas used to interpret the law in Sweden (Ewick and Silbey, 1998:pg 39-42). Since some participants lacked Swedish language skills they had to learn by trial and error about what the rules of the society they were living in was. Anna, a masters student, details the arduous bottom-up acquisition of resources to deal with the rules governing transit in Lund:

“At first, it was very stressful because I'm the type of person who likes rules and I want to follow them. I don't want to be the odd person out, not following something just because I did not know that because I know it's not an excuse as well. So the first couple of months was me figuring out the, I guess, the most important ones, like, yeah, how to ride the bus. So am I supposed to scan my thing or is that not required? ... But for me, everything's new. And then you see an inspector, then you're so scared that you're doing something wrong. So the first few months, I would say, were like that. And then after that, I kind of, I would, I think I already got a sense of the important rules and that everything else that I didn't know, I can. I can kind of choose when to tune in and tune out.”

By not being able to access the information in Swedish about the Swedish system, a simple procedure for a Swede, can become something that requires more effort to figure out for international students. The limited ability to ask questions about transit practices, unable to read information on the tickets and signs on the bus, the rules of the game on the bus are unknown to international students like Anna.

Of course, these rules are simple to learn for the bus, but for Anna and others, there was more anxiety about ‘breaking the law’ when they described their experiences navigating complex law bound institutions of authority like the Swedish Migration Agency. There, international students' resource disadvantage comes more clearly into focus because the stakes are higher.

This cultural construction of the rules was also demonstrated by Jack, a masters student from Asia who made an explicit mention of language as a mediating factor in addition to cultural expectations:

“I was in law school before so I feel like I was also affected by the Western values a lot. Yeah, so I feel it [western values] better than some of my Chinese friends here but still sometimes you get this kind of culture shock. Yeah I think this is like the most important one when it comes to the cultural barrier and the language barrier.”

For Jack, he mentioned infrequent difficulties with English, but he continued to stress his knowledge of legal procedures. His legal education, which he cited, helped him process the Swedish schema of proceduralism. Although language did cause barriers, Jack was able to function well based on his stored knowledge about the common procedural tendencies in Western countries as he described in our interview. He also mentioned his appreciation for freedom of speech, part of ‘Sveriges grundlagar’ (Sweden’s Constitution), which was something that made him feel comfortable staying in Sweden after studies versus returning home.

5.2 Students and discrimination

The second main theme was discrimination where some participants voiced their perceived alienation from their community based on their combinations of their cultural background, race, and gender. Some of their descriptions were soberingly transparent about their experiences being discriminated against in Lund. Anna, who grew up in South East Asia, said that in her class she felt alienated based on her appearance and cultural background:

“I felt that there were some biases, well it's a bias, but I guess a kind of expectation already or a lack of expectation that is perceived because of maybe differences in how we look or where we come from. And then as you get to know each other and as you spend time together as a class, then they kind of realize, ‘oh this person is like this and this person is like that’.”

Isolation based on appearance or cultural background also limits the access international students have to the resources like legal knowledge, human and economic capital, property and political ‘connections’ that facilitate functioning in Swedish society (Ewick and Silbey, 1998:pg 39-42). Compounded by being socially segregated, discrimination also happens at various entry points like the labor market, upon entry into Swedish society.

When Natalie brought up her worries about being discriminated against in her labor market applications she explicitly mentioned that her friends resisted the discrimination by changing their names on applications to get more interviews on jobs they applied for. However, for

Natalie, she said she would pose such a resistance because for her, her name was connected to her cultural identity and sense of self. She struggled with this because she brought up her challenge between picking her identity and getting access to the labor market. She mentioned that if she was discriminated against in the labor market that it would be against the discrimination law (diskrimineringslagen). I asked her to explain if she could tell me more about what she meant and when it would be appropriate to make a legal claim of discrimination?

“I think if I find myself in a situation where I know for a fact that I was discriminated [against] I would absolutely speak against it. It's just that I think I will need a lawyer and well it's kind of hard to get access because then I'll have to try to find like a Swedish lawyer. And again you don't really [know] like do they even understand the situation that I'm in and then I'll have to explain it to them and then they'll be like oh but [do] they care [about my] background [where they may] not necessarily understand what I feel? It's just a lot of barriers and with for example in universities then I understand and I will make complaint of course because it's still a very international oriented [place] meaning that I feel like I can be protected but that is in particularly you know Lund University”

Natalie emphasizes ‘barriers’ in her access to resources in her hypothetical scenario that are tied to venues. For her, she understands the various social schemas that guide the claims making process within the University system, she says that she would feel comfortable making a claim of discrimination because the place is *international* and her access to resources is greater at university than the unknown labor market. Resolving discrimination in the labor market by filing claims through legal systems would take more resources and would entail involving a lawyer. Natalie expresses her concerns with *Swedish* lawyers' ability to understand her claim. Her limited resources and lack of knowledge in the ways the normal business is conducted through these legal claims makes her hesitant to invoke the services of a lawyer. Whereas in the institution she knows, Natalie can better access information through her social connections and she might have a better chance to file claims within the University system because she has more resources there.

5.3 Students and procedural (in)justice

Several of the students interviewed for the study mentioned a central and common thread alongside the segregation and discrimination they faced which was procedural issues with various bureaucratic systems in Sweden⁸. These highly procedural systems are perceived by students as unforgiving and burdensome. Other times where the bureaucracy is bound by strict migration laws, procedural issues can be a main source of anxiety about the ability to build a prosperous life in Sweden after studies.

Basic life sustaining systems like student housing in Sweden are shaped by a perceived unnecessary level of procedural bureaucracy. Systems could be in place to improve equality and equal treatment, however some students like Jack cited the excessive levels of procedures to extend contracts as a barrier for him to live comfortably in his student accommodation. By citing the procedures, he indicated that he was treated unfairly by the system and his lack of resources to amend his problem was a perceived barrier to amending his eviction.

“I didn't receive the email that said that I have to click the confirm button so I just missed it and they just kicked me out [evicted]. I feel like this is kind of like something I don't understand because I mean as a student, I live here and I'm still doing my study here. Of course, I can live here and like why bother [with the confirmation]?”

Jack relying on his knowledge of how to terminate contracts continued to say:

“To [terminate your contract] you have to notice and like two months before or something, I think that's already enough. I just don't understand why we still have to extend our contract or something. [They should] do it in another way. This is for something I don't think is reasonable for me.”

Without the certain resources, Jack was unable to combine the tools and knowledge to go up against his landlord. He accepted their verdict about his eviction citing that they had procedures.

⁸ For an explanation of procedural justice, see 3.2 on page 16.

Instead of fighting their bureaucracy he spent his energy packing his things and searching for a new place to live in the area. Not only did he accept the eviction but he cited that he was unable to do anything about their verdict. He lacked the wherewithal to interpret his contract, his rights as a tenant or to negotiate a second chance to redeem his severed contract because the *process* has already taken place. In other words, the authorities had already spoken and he neither played their game nor posed resistance to their verdict.

Procedural justice can be constructed in many ways; however, for these students, the temporal aspect to legality was a large contributing factor to whether they felt justice was being served. The time and the knowledge about the procedures heavily weighed on Susan as she told me a story about someone who she knew, as she describes was the victim of rape. She started by telling me how she felt about the police (Polismyndigheten) here in Lund. The person she knew⁹ was unable to successfully navigate the procedures for getting the medical test in time in order to make a case against the perpetrator. Both time and the law make a central appearance in the construction of procedures and the case against the perpetrator:

“Especially when I talk about rape and sexual assault, this can be like really frustrating because it's also a bit time sensitive. When you don't know about the law or like what systems to go through, like you would have been hurt for her, like for her case, for her to go to the hospital first and to get tested against or proof or whatever. So, her case got thrown out.”

For Susan, she emphasized the time component of how to build a case properly by following the right procedures. However, the person she knew lacked access to resources and authorities. Even though they went to the police, the knowledge and access to the medical tests and the subsequent correct steps were not able to be followed within the right amount of *time*. Susan also told me that she had to deal with a procedural difficulty with the migration agency, however she was in fact able to rally the resources to be able to file an appeal to get her rejected decision approved.

⁹ This description at times is intentionally vague to ensure anonymity for all persons involved (see Vetenskapsrådet 2017).

“I had contact with the migration agent who was handling my case and I had understood that everything was fine. So when I got denied, I didn't understand what had gone wrong.[The rejection] had to do with the way that I showed my monthly money or something like that. They have specific rules about how you have to show it. So I was thinking about getting a lawyer just so they would like, and you know, make the process quicker, but also like to confirm that I was doing everything right. But I decided not to ... I just organized it the way they wanted it. And sent it and explained the situation of why I had [gone] wrong. And then it worked out for me. So I also went to the [Swedish] Consulate in [home country]¹⁰. I asked them about it. And they also gave me some advice. So I think it was helpful, at least like with the people that my family knew in [home country] to give me advice on this. Yeah, I think that that's a big difference when it comes to legal systems. When you're like in the country that you live in versus like, in a new country, because if anything happens in [home country], I usually can tell you. I'm like, you know, my mom, my, you know, my stepfather, my siblings, like, or ask my friends, or it's really like, you know, how do you do this? And most people know how to do it because it's for you in a sense. But when you're here in Sweden, you can't ask your parents, 'what do [I] do?'”

Resources and the knowledge schema is at the forefront of Susan's ability to have made her appeal of her migration decision. She even mentions distinct differences between her resources in her home country and her access to resources in Sweden. Susan put emphasis on familial relations as an access to information and resources within the legal system.

6.0 Discussion

As I mentioned in the background section, in Sweden, higher education institutions have prioritized internationalization policies encouraging international students to study at Swedish universities (STINT, 2024; Shih, 2023). When discussing the prospects of living in Sweden after their studies, most participants did cite that, while they had a desire to stay, migration law and institutional barriers compacted capacity to tackle other challenges like entering the labor

¹⁰ Vagueness intended to protect the identity of the participant.

market. They felt accepted at the international university, but outside of that, there were concerns amongst the participants about how the system outside of academia would treat them.

In trying to answer the research question, *how do international students at Lund University experience law and legality in their everyday life*, three main themes of answers emerged from the coded interviews. There were differing perspectives from each of the individuals on the resources and schemas of legality that Ewick and Silbey (1998) outline in their theoretical framework. In each of the interviews, students were fluctuating between different views of law in their everyday life based on the situation being talked about and primarily about the levels of access they had to resources in order to participate in legal claims seeking behavior.

6.1 *Before the Law*

It is possible that when international students come to a new jurisdiction they may take this view of the laws within a jurisdiction as not protecting or pertaining to their issues (see page 17). Or they could be extremely deferential to the powers of the sanctioned authorities in order to conform to new legal expectations. This model differs from the other models of the tripartite in its deference and remote insulation.

In some instances, the law is seen as something that does not concern itself with the problems of students' lives, like when Natalie mentioned the ability to use the discrimination act with her hypothetical scenario of labor market discrimination based on her friends' anecdotes. According to Ewick and Silbey (1998) this could be an instance of *Before the Law* where people's problems wouldn't meet the highest standards for justice and where the law is seen to amend problems justly and equally. The story that law tells about itself, being equal and just, is most commonly found in this view.

Jack showed deference to rule bases systems when he was unable to amend his problems with his housing contract. His deference to the system in place by the housing authority is congruent with his acceptance of 'western values' that emphasize procedures. The system he was acting in and his own perceptions of what would be the right way to proceed handicapped his ability to mobilize resources to resolve his contract dispute with legal recourse. He also did not dispute his

landlords claims, repeating that he knew how procedures were important which is characterized by a *Before the Law* view of Law. This status of being hesitant of the law I think is derived from a lack of resources and access to knowledge about what the rights and rules are in Sweden. From the perspective of international students, everyday struggles in a foreign language and just trying to sort out housing, food, and studies is a huge burden on international students. Even with vast amounts of information in English about the social rules and laws in Sweden, international students default to seeing themselves as potentially doing something wrong. A poignant example is from Anna who said:

“If I’m walking and I know that I’m in a pedestrian area, then I don’t really care too much about whatever is happening, as long as I know I’m not in the way or I’m not doing anything that’s illegal. Oh, but one thing that still confuses me is the bike lane ... I don’t want to be run over by a bike ... I don’t want to be in the way of anybody.”

Just walking on the street for international students can be a challenge to overcome in a foreign jurisdiction. The main objective for international students is to study. In addition to this, international students have an informal education piecing together the guidelines of Swedish life. Sometimes this can even regulate where, how and when they can hold their bodies in certain spaces. Since this education is ad hoc, I could sense the feelings of frustration in the participants' stories about their adjustments to Swedish norms, with some of them using the language of the law like ‘illegal’ to describe the severity of social deviance.

Many of the participants were discouraged by the barriers that they faced in Swedish society posed by what they deemed unnecessary bureaucracy. A difficult case was when Jack’s missed email led to his eviction. I could tell after talking with each of the participants, to some extent internationals feel a strong pressure to conform to the norms and rules of the system, even if they do so uncomfortably or at cost to themselves. This sentiment can be summed up with Steven’s words: “it’s my choice to come to Sweden and it is my responsibility to adapt to the way life works here”. Marcus, a masters student, also echoed this sentiment from Steven. However, it is important to mention that the system in Sweden *should also* work to inform those who migrate about the rules, in addition to actively working to reduce barriers for integration.

6.2 *With the Law*

International students from privileged status positions in society or who are predisposed to gamify the law may employ this framework to actively seek to use the law to further their goals. By mobilizing their privilege and resources they may be able to use the law as a tool to get what they want out of the problems they have (see page 17).

Gamification of law, known in Ewick and Silbey (1998) as *With the Law*, could be demonstrated with the mobilization of resources that Susan used to amend her problems with the Migration Agency. The way she was able to navigate the legal system seemed to rely on advice and procedural information from others, allowing her to navigate smoothly with the correct information. However, through our conversation it seemed that she didn't cite her admiration in justice as a reason to follow the system's prescriptions, rather that these were the steps needed to meet her self interests.

With procedural steps and a plan to mobilize resources the rules of the game are structured from the onset, with certain aspects of control being placed in the hands of Susan. Whilst Steven mentioned that he was discouraged by the barriers to pursuing his career like language acquisition, through his responses, he indicated that with the right level of proficiency and the right applications he would be able to again pursue his career as a lawyer he left behind when he came to study. His pursuit of acquisition of knowledge and leveraging of networks was an indication that if he *played the game* then he would be able to achieve his self interests, no matter the barriers imposed by authorities in his way.

6.3 *Against the Law*

International students may be able to go against the law if they have access to resources and schemas that treat the power as arbitrary. However being able to actively resist does take capacity and resources that international students lack access to in their current status in society. It could also be the issue of time, whereby students want to get on with the business of being a

student rather than move resources to push back against law even if they see power(s) as being arbitrary (see page 18). Evidence in the conversations of the third view of Ewick and Silbey (1998) *Against the Law* was noticeably less than the other two. Characterized by making do with what you have and using extra legal means to amend problems, such as active resistance, stories of participants themselves going against the law were unfortunately absent. While there were some instances where participants mentioned others resisting, like Natalie and her friends name on applications, the participants themselves didn't cite any resistances or protests they have participated in. There could be many explanations for why this could be the case, but I would argue that international students occupy a unique role within society here in Lund that puts them in a specific vulnerable position to resist the authority of the law. Each participant was aware of the function of bureaucracy and even to some extent the gamification of law. Notwithstanding, to be able to pose an active resistance to the law requires knowledge about the boundaries of law's regulation on society.

How participants interact with landlords, traffic, access medical treatments, and apply to jobs are indicators of how relations between people and institutions underpin understandings of law and legality. For international students, the ability to forge a resistance and be able to go against the law, in fact takes a large amount of security in the society. Language barriers are not amenable with language learning programs because the nexus of resources that are accessible through Swedish also need to be paired with cultural schemas which tell the holder of information how to most effectively use it. Ewick and Silbey have shown, legality is socially constructed, so without the resources to participate in the social system in Swedish, international students are limited to the ad hoc periphery, constructing legality through trial and error rather than through relations and information like native Swedes would.

As previously discussed in section 3 and 4, Ewick and Silbey (1998) provides an ideal framework to explore the social participation in the contraction with law and legality in everyday life. Their framework is characterized by resource and schema-based challenges to participation, which international students feel as indicated by the findings. International students in this study mainly reinforced the hegemony of law power in society citing a desire to protect themselves from harm's way. Unable to participate equally, as their Swedish counterparts, the system will

prescribe unilateral rules that they follow until they overcome social barriers to help shape legality. Future research conducted on legal consciousness of international students should research why the *Against the Law* archetype is less common amongst international students. Perhaps a longitudinal study on students from their beginning of studies to their end could find a shift in perspective about law and legality that was unable to be indicated through the data in this thesis.

The noticeable lack of stories of international students participating in protests and active resistance indicates insecurity among the participants interviewed. International students have limited access to resources, both relational and perception based, and this seems to reinforce an unequal power balance because they are unable to contribute to law and legality which shapes the use of power. By being socially reinforced as outsiders in Sweden, international students risk their ability to study if they break laws, protest and active resistance included. International students then have seemingly no choice but to reinforce the hegemonic system or go against it at the cost of their right to remain in Sweden. The rule of law for international students is then to bow down to the system 'as-is' or play it as a game anything but resisting the law is reserved for those with a more secure social-legal status in Sweden.

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8.0 Appendix

Appendix I: “Open Invitation for Participants in MS.c Thesis Project” Letter



Open Invitation for Participants in MS.c Thesis Project
“International Students and the Rule of Law: Stories from Lund,
Sweden”
Freeman Elliott Gunnell, MS.c Candidate
March 28th, 2024

My name is Freeman Elliott Gunnell and I am a graduate student in the Department of Sociology of Law at Lund University. As part of my studies, I am undertaking a small-scale research project in my final thesis course. The supervisor is John Woodlock, PhD.

My study is preliminarily titled “International Students and the Rule of Law: Stories from Lund, Sweden”. It aims to explore how international students understand and interpret the rule of law as a broad theme created out of social experiences of everyday life in Sweden and beyond. My research project is particularly interested in the themes of migration and internationalization.

The study has a qualitative research design that will include semi-structured interviews and a focus group discussion. The focus group and interviews I wish to conduct will provide my research with insights and valuable data to build understanding of the everyday experiences of law among international students - currently living and studying in Sweden. With your informed consent, the interviews and focus group discussions will be audio recorded and transcribed in a way that anonymizes all of the participants personal information. Text analysis methods will be used to analyze transcribed data from both the focus group and interview discussions.

Participation in the focus group discussions and interviews is entirely voluntary and you can withdraw your participation at any time. All audio recordings will be stored in a secure place in accordance with the relevant Swedish law, Lund University ethical guidelines, and best research practices. My intention is to publish the results of my thesis on LU student papers.

Interviews will take place during week 17 - Starting on Monday, April 22nd, 2024. If you wish to be interviewed, please email me and we can book a time that is convenient for you.

The focus group will be held on Wednesday 17th of April from 10-12 in Hus P Psykologen across from Eden. Fika will be provided. 10-12 participant slots are available.

If you are interested in recommending someone to participate in this study please feel free to share this letter with them.

Thank you for your time and I look forward to hearing from you.

Appendix II: Interview questionsIdentity forming questions

I would like to start by asking about your connections to your local community in Lund - how would you describe your similarities or differences from people in your community/neighborhood?

Can you tell me some things you like and dislike about your local community?

In your ordinary life within University, is there anything that has been troublesome or bothersome*?

*Anything that was not as you would have liked it or thought it should be.

Questions about specific venues for interactions with law in Lund

Tell me about some of the problems you've faced with your housing/neighborhood while being a student at Lund. Anything that was a problem with that?

When you are walking through the city or using public transport have you encountered anything that bothered you? How often?

Have you ever encountered trouble purchasing or buying something? Does that happen often?

When you've interacted with the migration agency, can you tell me about anything that bugged you during that process?

In your ordinary daily events and transactions is there something that you've seen as being a disruption in the ordinary way that you think it should proceed?

In your interactions with the university, with public health institution, the migration agency in your housing/neighborhood, work and employment - friends and emotional connections

Future oriented aspirations and barriers

What are your aspirations for the future? Do you see yourself living in Sweden after your studies, if so are there any barriers that are blocking you from doing so?

More direct questions about law in Sweden (if applicable)

Now we are going to have more of an open discussion about your interactions with the law in Sweden

Can you describe in some detail your experience with the Swedish Legal System?

Have you ever encountered someone who was in the legal system in Sweden? This could be lawyers, court personnel or people who work in law enforcement like the police.

How would you describe your level of knowledge with Swedish Law? Do you know about Allemansrätten?

Open ended closing question

Is there anything else you'd like to talk about during our time together?

Appendix Item III: Coding matrix - meta and micro codes

	Meta Codes	Micro Codes
Identity Questions and Rule of Law themes	Segregation	<ul style="list-style-type: none"> ● Language problems ● Difficulties making friends with Swedes ● Exclusion
	International Perspectives	<ul style="list-style-type: none"> ● Unpredictability ● Insecurity, immigration status
	Discrimination	<ul style="list-style-type: none"> ● Waiting times ● Bureaucracies ● Race ● Sexual Orientation ● Gender
	Procedural Justice	<ul style="list-style-type: none"> ● 'Bad information' ● Unpredictability in law/authorities ● Bureaucracy obscuring justice. ● Lack of Proof
Problem Based Questions	Labor Market	<ul style="list-style-type: none"> ● Language challenges, ● Trouble finding a job ● Labor Market being a barrier to stay in Sweden
	Housing Trouble	<ul style="list-style-type: none"> ● Land lord, ● Rent ● Contracts ● Neighbors
	Migration/Visa	<ul style="list-style-type: none"> ● 'Migration Agency' * ● Wait times ● Immigration status ● Maintenance money
	Transit Difficulties	<ul style="list-style-type: none"> ● Busses, Trams, Bikes
	Lund v. Sweden	<ul style="list-style-type: none"> ● Country v. City mentality to international students, ● 'International City'
Law Based Questions	Legal Professionals	<ul style="list-style-type: none"> ● Lawyers, Police, Administrators

	Crime	<ul style="list-style-type: none"> ● Theft ● Others committing crimes ● Witnesses ● Sexual Assault
	Social Deviance	<ul style="list-style-type: none"> ● Going Against Norms ● Being ‘not like the Swedes’
	Law as a burden	<ul style="list-style-type: none"> ● Law as a binding force on migrants

Appendix IV

Pseudonym list and area of origin

Susan	South America
Natalie	South East Asia (EU Citizen)
Marcus	Western Europe (EU Citizen)
Jack	East Asia
Anna	South East Asia
Molly	Western Europe (EU Citizen)
Steven	Eastern Europe (Non-EU Citizen)