

# The precarious inclusion of homeless EU migrants in Norwegian public social welfare: Moral bordering and social workers' dilemmas

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## Abstract

This article discusses public social welfare provision to homeless EU migrants in Norway. Most of these migrants have no or weak affiliations with the formal labour market, resulting in restricted rights to public social assistance. Drawing on the concept of *precarious inclusion*, I suggest that rather than being simply excluded from public social welfare, homeless EU migrants *are* included in the welfare state but in fragile and insecure ways through provisions directed at safeguarding bodily survival. I understand these limited inclusionary policies and practices as forming part of the Norwegian state's management of 'undesired' migrants. Building on interviews with social workers in the public social welfare administration, I reflect on how assessments of cases involving homeless EU migrants signal hierarchical conceptions and differentiation of human worth within Norway's borders and how *territorial belonging* emerges as a prerequisite for 'deservingness' in social workers' accounts.

## Key words

EU migrants, moral bordering, Norway, precarious inclusion, social work

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Social worker Nils<sup>1</sup> is employed in the Norwegian social welfare administration, mandated with providing social assistance under the Social Welfare Act (2009). In our interview, he reflects on the harshness of rejecting applications for support from homeless EU migrants as he can say no even if he knows that the person has no money. Thus, Nils continues, he more or less directly tells a person to leave Norway and 'go home'. He sighs and says, 'But we have received very clear guidelines through [governmental] regulations and circulars stating that no, these people are not to get social assistance'. Although finding it hard to reject and personally sympathising with EU migrants in precarious situations, recognising that their situations 'at home' are often ones of poverty and destitution, Nils cannot really see how, from what he terms 'a societal perspective', it would be sustainable to give social assistance to 'everyone coming to Norway'. When I inquire if he means that as a social worker and an employee in the public social welfare administration, he somehow has a responsibility for ensuring the sustainability of the welfare state, he says:

Well, maybe not directly, but, well, we have been given a mandate. To say yes or no, to draw the line between those who are entitled to social assistance and those who are not, based on these [guidelines]. [. . .] Normally you cannot reject an application for social assistance if a person has no own means. But in these cases, it does not really matter if you have own means or not; the rejection has to do with other things [. . .] So, you could say that we are just doing what we are told to do, but of course, we are trying to think for ourselves too. But these are difficult cases. They really are, because the line must be drawn somewhere.

Karianne, working in another section of the social welfare administration, similarly states that on the one hand 'we do not wish to be the social welfare office of the whole of Europe' and that social rights are meant for those who are members of the Norwegian welfare system. On the other hand, 'as a social worker' and when meeting individuals, she finds it hard to reject applications from people she identifies as being in desperate situations. She says that the social welfare administration in Oslo perhaps interprets 'the law' unnecessarily strictly, 'because we give nothing to most of them', and there is room for providing more assistance, especially since provision exists for emergency situations:

But then there is the matter of defining an emergency situation [in these cases]. Is being without a roof over your head and food to eat an emergency situation? Evidently not. In Oslo that is not enough. And I believe that we could have interpreted this differently. But then, I think that if you start interpreting this differently, you are stuck with another problem. Because then you sort of uphold a situation which is not viable over time. Instead of as fast as possible sending people back, or getting people to travel back, to their home country, where they have their rights.

## Introduction

The excerpts from my interviews with Nils and Karianne allude to the overall questions guiding my analysis of the deliberations of social workers in the public social welfare administration on provision of social assistance to homeless EU migrants in Norway: What are these ‘other things’ referred to by Nils, that influence assessments of applications from this group of migrants? Where do social workers ‘draw the line’ when it comes to who they deem entitled to – or deserving of – social assistance, and how do they morally justify and legitimise such decisions? Which dilemmas does this entail for social workers? What role do concerns of migration management play in this nexus?

The situation of homeless EU migrants in Norway is characterised by poverty and lack of protection concerning basic needs such as health care, food and housing (Djuve et al., 2015; Stiftelsen Kirkens Bymisjon Oslo, 2016). While they enter and stay legally in the country due to the European Economic Area (EEA) agreement,<sup>2</sup> the migrants of concern in this article have no or weak affiliations to the formal labour market. Consequently, and mirroring the position of other migrants with precarious citizenship statuses, often termed *irregular migrants* in scholarly literature,<sup>3</sup> they are, as indicated by Nils and Karianne, not deemed amongst the Norwegian welfare state’s members, resulting in restricted rights to public welfare services.

The right to assistance from the welfare state is in general contingent on membership through citizenship or legal residence. In the case of EU migrants, the latter is typically tied to long-term affiliation with the formal labour market (Synnes, 2021). To have so-called ‘full rights’ to individual services under the Social Welfare Act, i.e. being entitled to financial assistance and temporary accommodation, habitual residence in Norway is an additional requirement. Habitual residence is assessed by considering a person’s general ties to Norway, including housing situation (Arbeids- og velferdsdirektoratet, 2012).

In this article, I am specifically concerned with the cases of EU migrants who are deemed to *not* comply with the requirements for legal residence according to the social welfare legislation,<sup>4</sup> nor for habitual residence. Although homeless EU migrants consequently, as pointed to by Nils, are excluded from full rights under the Social Welfare Act, they are – through the Social Welfare Regulation concerning social services for people without habitual residence in Norway, including people without legal residence (Arbeids- og sosialdepartementet, 2011) – entitled to ‘information, advice and guidance’, which is considered an individual service under the law. This regulation further states, as Karianne alluded to, that in an ‘emergency situation’ these migrants have the right to financial assistance and temporary accommodation for a short period of time.

The article has two key aims. I first trace the development of the Social Welfare Regulation. Drawing on the concept of *precarious inclusion* (Karlsen,

2021), I suggest that rather than being simply excluded from public social welfare in Norway, homeless EU migrants *are* included in the welfare state but in fragile and insecure ways, through short-term provisions directed at solving emergencies and safeguarding bodily survival. Second, I explore how social workers in the public social welfare administration navigate the legislation, focussing on moral justifications for decisions regarding homeless EU migrants. The analysis centres on social workers' deliberations on what constitutes an emergency situation in these cases. I reflect on how such assessments signal a willingness to differentiate between human worth within Norway's borders and the dilemmas this entails for social workers. In the concluding discussion I consider how the issue of *territorial belonging* (Righard, 2018; Righard and Boccagni, 2015) emerges as central to social workers' discussions of 'deservingness' of public welfare, implicating social workers in the Norwegian state's management of 'undesired' migrants (Keskinen et al., 2016), or migration control.

Although I draw on the growing body of literature which critically discusses the increasing intertwinement of welfare policies and migration management in general, leading to complex hierarchies of welfare rights (Guentner et al., 2016; Jørgensen and Thomsen, 2016; Karlsen, 2021; Könönen, 2018; Lafleur and Mescoli, 2018; Mayblin et al., 2020; Tervonen et al., 2018), my aim is to contribute to the emerging scholarship on the role and position of social work and social workers in this nexus, specifically pertaining to the situation of migrants with precarious citizenship statuses and negotiations of 'deservingness' in these cases (Cuadra, 2015; Cuadra and Staaf, 2014; Jönsson, 2014; Misje, 2020; Synnes, 2021). This scholarship forms part of a larger conversation on *methodological nationalism* (Wimmer and Glick Schiller, 2002) within social work theory and practice, encompassing fundamental critiques of 'sedentary assumptions about societies' (Righard, 2018: 245), of 'how social work has naturalized the nation-state' (Olivier-Mensah et al., 2017: 123) and thus of how solely those deemed to belong to a territory are considered 'legitimate claimants of social justice' (Mpfung, 2021: 20). Such critiques underscore how a situation where national borders – in a globalised world – are used as a frame for welfare claims, result in differentiation of access to welfare within a country's borders, being in conflict with social work's self-identification as a profession working for equal inclusion of and social justice for all (Jönsson, 2014; Mpfung, 2021; Olivier-Mensah et al., 2017).

Some empirical research has investigated how the national framing and 'sedentary' assumptions of social work might create exclusionary practices at odds with the profession's stated values, resulting in dilemmas for social workers (Cuadra, 2015; Cuadra and Staaf, 2014; Jönsson, 2014; Mpfung, 2021), including how social workers get entangled in 'bordering' practices (Misje, 2020; Nobe-Ghelani, 2017; Synnes, 2021). Knowledge on how social workers in public social services deliberate and manoeuvre in this landscape,

which this article sets out to explore, remains scarce, particularly in the context of universalistic-oriented welfare states such as the Norwegian one.

Before proceeding, I discuss the article's theoretical framework, followed by methodological and ethical reflections.

## **Precarious inclusion, moral bordering and territorial belonging**

The concept of *precarious inclusion* was introduced by anthropologist Marry-Anne Karlsen (2021) in her analyses of how irregular migrants in Norway – with a primary focus on rejected asylum seekers and health care – despite precarious citizenship statuses and formal exclusion from the nation-state, do have access to some, albeit very limited, services in and assistance from the welfare state. Rather than drawing attention primarily to exclusionary policies and practices, which has been the tendency in studies concerning migrants with precarious citizenship statuses and access to public welfare (e.g., Guentner et al., 2016; Lafleur and Mescoli, 2018; Misje, 2020; Synnes, 2021), precarious inclusion points to how these migrants *are* included in the Norwegian welfare system through measures directed at ensuring survival (cf. Mayblin et al., 2020). This inclusion is, however, restricted, unpredictable and fragile, (Karlsen, 2021), as it is grounded in 'humanitarian reason' (Fassin, 2012) or 'a moral imperative' to alleviate acute suffering (Ticktin, 2011), rather than comprehensive social rights, the latter being a cornerstone of the Norwegian welfare state.

Precarious inclusion, as an analytical lens, contributes to nuancing binary understandings of exclusion versus inclusion in public welfare, which seems to be an underlying assumption of related concepts such as *welfare chauvinism* (e.g., Guentner et al., 2016; Keskinen et al., 2016), instead aiming to capture the simultaneity of the two (Karlsen, 2021). As I demonstrate in my analysis of the Social Welfare Regulation concerning social services for people without habitual residence in Norway, this simultaneity of exclusion and inclusion characterises the Norwegian state's policies and practices towards 'undesired' migrants – where concerns of migration management intersect with the welfare state's moral commitment to address suffering and ensure basic social protection (Jørgensen and Thomsen, 2016; Karlsen, 2021; Mayblin et al., 2020; Misje, 2021).

The construct moreover prompts us to scrutinise what is 'at stake' also in limited inclusionary policies and practices and to not take for granted that 'inclusion is a straightforward solution to the injustice caused by exclusion' (Karlsen, 2021: 4). It is particularly useful in examining how such precarious, and *differential* (Könönen, 2018), inclusion produces a hierarchisation of social rights within Norway's borders. Such hierarchisation of rights, as scholars

have called attention to, ‘contributes to the formation of asymmetrical social relations inside the society’ (Könönen, 2018: 56), thus signalling ‘a general consensus among politicians and publics that some human lives are worth less than others’ (Mayblin et al., 2020: 108).

Theorisation and empirical explorations of how welfare policies and provisions grounded in humanitarian reason – rather than rights – seem particularly susceptible to evaluations of deservingness, both on a societal level and amongst those mandated with administering them (Fassin, 2012; Karlsen, 2021; Ticktin, 2011), sheds further light on this ‘unspoken logic’ where differentiation of human worth within the same ‘space’ is found acceptable (Könönen, 2018; Mayblin et al., 2020). The concept of *moral bordering* captures judgments and discourses surrounding migrants with precarious citizenship statuses regarding their ‘worthiness’ of welfare (Karlsen, 2021).

Building off the work of French philosopher Etienne Balibar (e.g., 2002), scholars have moved away from considering borders as static and neutral, reconceptualising them as processes being enacted by various state and non-state actors, including migrants. Bordering processes take place not only at the exterior boundaries of territories but ‘follow migrants into the national space’ (Könönen, 2018: 55; Guentner et al., 2016; Nobe-Ghelani, 2017; Tervonen et al., 2018). Specific attention has been paid to processes of *welfare bordering*, the drawing up of new exclusionary state borders ‘around social rights and public welfare provision’ (Guentner et al., 2016: 392), and consequently, how states develop policies to avoid creating ‘incentives’ for undesired migrants, with the more or less articulated aim of encouraging them to leave or discouraging them from coming (Guentner et al., 2016; Tervonen et al., 2018). Accordingly, ‘managing migration has become directly a question of defining the boundaries of the welfare state’ (Tervonen et al., 2018 p. 140). The precarious inclusion of homeless EU migrants in Norwegian social welfare legislation, is, as my analysis will show, a case in point.

The notion of *moral bordering* then, is particularly useful in exploring how discourses and deliberations on deservingness contributes to further differentiation and hierarchisation *between* migrants with precarious citizenship statuses, where some migrants are cast not merely as ‘undesired’ but also as ‘unworthy’ even of limited forms of assistance, while others are deemed ‘worthy of compassion and care’ (Karlsen, 2021: 49; cf. Keskinen et al., 2016). My analysis examines how ideas of deservingness surface in social workers’ deliberations on what constitutes an emergency situation in cases involving homeless EU migrants. I hence draw on the construct to investigate who and which situations are found morally legitimate (Ticktin, 2011), or worthy, of the limited public assistance available through the Social Welfare Regulation (2011); how social workers morally justify exclusion from public social welfare; and how such assessments influence what kinds of information, advice and guidance are considered relevant by social workers in these cases.

To further examine how ideas of deservingness and *territorial belonging* (Righard, 2018; Righard and Boccagni, 2015) intersect in social workers' reflections, I do in the concluding discussion bring together the literature on moral bordering with the critique of methodological nationalism within social work. Social workers partaking in 'defining the boundaries of solidarity' (Lorenz, 2006: 26), or the differentiation of human worth (Mayblin et al., 2020), including determining who are morally legitimate recipients of very limited forms of aid, take a specific shape and create particular dilemmas when poor or 'undesired' people's crossings of national borders are involved, bringing to the fore both sedentarist assumptions and the national basis of social work in the Norwegian context.

## Methodology and ethical considerations

This article's empirical data draws from several sources – primarily 11 qualitative interviews with employees in the Norwegian Labour and Welfare Administration (NAV) (6), at the Social and Outpatient Emergency Service (SAA) (3), and in the offices of the municipal Health and Social Services Ombudsman (1) and the County Governor (2), all in Oslo, between June and November 2018. The municipal NAV offices and SAA are mandated with providing services under the Social Welfare Act. The Ombudsman assists people who have had their applications for social assistance rejected in appealing the decision, and the County Governor is the appeal body of these cases. With the exception of one of the two employees at the County Governor's office, who were interviewed jointly, all interlocutors were trained social workers and had worked four years or more at NAV or SAA. When I refer to *social workers in the public social welfare administration*, all of the above are included. Their workplaces are not specified to ensure my interlocutors' anonymity.

The interviews took place following almost one year of ethnographic fieldwork at nongovernmental organisation (NGO)-run social services accessible to homeless EU migrants in Oslo, including accompanying migrants as they navigated these and public welfare services. While NAV or SAA involvement was not frequent during my fieldwork, I was part of, or witnessed closely, a handful of negotiations regarding homeless EU migrants' inclusion in public social welfare, and was told of a few more (see Misje, 2020). Field notes and case documents from situations I followed also form part of this article's data, as do the Norwegian Social Welfare Act (2009) and related legislative and policy documents. Following Coutin and Fortin (2015), the legal sources are treated ethnographically; I have primarily been interested in exploring legislation and policies 'as a way of thinking and imagining social reality' (79), including how such thinking is 'practiced on the ground' (76).

Like much of the literature on intra-EEA/EU mobility (e.g., Jørgensen and Thomsen, 2016; Lafleur and Mescoli, 2018; Tervonen et al., 2018), this

article employs the term *EU migrants*. I acknowledge the risk of underplaying that the migrants are EU citizens enacting their right to free movement but find the term more apt for capturing the heterogeneity of the migrants focussed on in my study than alternatives such as *vulnerable EU citizens* (Persdotter, 2019; Dahlstedt et al., 2019) or *poor visiting EU citizens* (Ekendahl et al., 2020). In the Norwegian context, these constructs are inevitably associated with Romanian Roma who beg on the streets, without possibilities of settling permanently in the country. Although the migrants whose cases I was able to follow closely were mainly Romanian citizens, most of whom self-identified as Roma, those discussed by the social workers I interviewed constituted a much more diverse group in terms of nationality, ethnicity, means of survival and aspirations for and length of stay in Norway.

Some of my interlocutors had intimate knowledge of or were involved in making the decisions in the cases I had followed; others were recruited through my contacting their workplace and presenting my research interest or through personal network and the snowball method. With the consent of the migrants involved, the mentioned cases served as a point of departure, or examples to reflect upon, during the interviews – if the social workers were not familiar with the situations, I presented the cases, fully anonymised.

The social workers taking part in my study gave two main reasons for doing so. First, many found cases involving EU migrants – and particularly those with very limited rights to services under the Social Welfare Act, which they all had experience with – complicated and unknown professional territory, making it an interesting and useful topic to reflect on. Second, several voiced concerns of NAV and SAA being unfairly represented as ‘the bad guys’ in discussions of such cases and wanted to give their side of the story or shed light on what they perceived as NAV/SAA’s mandate. There is thus a possibility of my material being skewed in favour of perspectives of social workers who are less critical of and more loyal to NAV/SAA’s practices in cases involving homeless EU migrants; their reflections might have been influenced by their awareness of my closeness to some of the situations discussed.

Researchers are guided by the principle of ‘doing no harm’ (Hugman et al., 2011; Oeye et al., 2007). This is significant in a situation where migration is heavily politicised. When researching and critically scrutinising the very restricted and fragile inclusionary policies and practices towards migrants in precarious positions, there is an additional risk of undermining their limited but potentially vitally important possibility of inclusion in public social welfare provisions (Hugman et al., 2011; Karlsen, 2021; Ticktin, 2011). I strive to present analyses in ways that cannot be ‘misused’ by policy-makers or other actors, acknowledging that how one’s research is used is not something a researcher may fully control yet asserting the importance of examining what is ‘at stake’ in these policies and practices, especially if they are ‘complicit in furthering structural inequalities’ (Karlsen, 2021: 4).



I endeavour to avoid simplistic portrayals of the professionals involved in such practices, especially NAV employees, who, in the Norwegian context, *are* often perceived as the ‘bad guys’. I attempt rather to provide insights into my interlocutors’ ‘convictions and doubts [. . .] their prejudices and their reflexivity’ (Fassin, 2012: 13) and how their reflections at times were characterised by ‘a great deal of despair and distaste’ (Oeye et al., 2007: 2303) – as shines through in both Nils’ and Karianne’s accounts. While not losing sight of the significant part they nonetheless play in assessing who is ‘worthy’ and ‘unworthy’ of public social welfare, and consequent differentiations in access to welfare within Norway’s borders, I also aim to shed light on national legislation and policies mandating the public social welfare administration, which the social workers ‘find themselves inserted into’ (Mpfu, 2021: 21).

## The precarious inclusion of homeless EU migrants in social welfare legislation

The Social Welfare Act’s (2009) stated purpose is to improve living conditions for the disadvantaged, to contribute to social and economic security and to be the Norwegian society’s final safety net for those in need (§1). It reflects the Norwegian self-perception of being an egalitarian and caring nation, developed in tandem with the ambitious welfare state. There is strong normative pressure ‘on the state to address suffering of different kinds and to ensure that no one lives under conditions defined as undignified’ (Karlsen, 2021: 58; Rugkåsa, 2012). The law defines its scope as ‘everyone residing in the realm’ but allows for regulations limiting inclusion of ‘persons who are not Norwegian citizens or who do not have residence in the country’ (§2). The position of those who are not deemed members of the Norwegian welfare state yet reside inside the country’s borders is ambivalent in the social welfare legislation. Migrants with precarious citizenship statuses have gradually – through various administrative regulations, circulars and guidelines issued by state departments and directorates – been explicitly excluded from ‘full rights’ to services under the Social Welfare Act, which are reserved for those considered ‘part of our society’ (Arbeids- og velferdsdirektoratet, 2012), without much public debate (Karlsen, 2021; Misje, 2020). These migrants’ visible poverty and homelessness nonetheless create political and emotional unease (Djuve et al., 2015), and there is a limit to what and how much also they are ‘allowed’ to suffer (Karlsen, 2021).

Prior to the Social Welfare Regulation (2011) concerning social services for people without habitual residence in Norway, the right to assistance in an emergency situation for migrants with precarious citizenship statuses was not regulated in statutory law but followed from unwritten considerations of the duty to help people in need, i.e. ensuring that people do not ‘starve or freeze

to death' (Arbeids- og sosialdepartementet, 2013: 5). Whereas the Consultation Paper preceding the Social Welfare Regulation specified that welfare services were not a tool for migration management, it clearly related the need for regulating access to emergency assistance to recent changes in migration patterns, including the enlargement of the EU (Arbeidsdepartementet, 2011). The position of EU migrants was ambiguous in this document. In the Consultation Paper preceding an amendment to the Social Welfare Regulation, with the stated aim of clarifying that emergency assistance should not enable continuous illegal residence or maintain situations of long-term need, the importance of clarification was explicitly linked to these migrants: 'Such ambiguity is unfavourable at a time where the immigration of EEA citizens without means to support themselves is expected to increase' (Arbeids- og sosialdepartementet, 2013: 7). Furthermore, the guideline accompanying an amendment of the Social Welfare Act Circular (2012) in February 2018 clearly stated that cases of EU migrants deemed to be without legal or habitual residence according to the social welfare legislation, those earning money through begging or unregistered work being specifically mentioned, should be assessed according to the Social Welfare Regulation (Arbeids- og velferdsdirektoratet, 2018) – which also happened in the cases I followed.

Having traced the development of the social welfare legislation encompassing homeless EU migrants in Norway and mandating the social welfare administration, I suggest that rather than being wholly excluded from public welfare provisions, the migrants are included in ways that are solely meant to relieve acute suffering, i.e. safeguarding their 'being kept alive' (Mayblin et al. 2020: 116). These migrants' relationship with the welfare state departs starkly from that of those considered 'part of our society', as indicated by the far more ambitious aims of the Social Welfare Act and of the welfare state in general, whose 'ethos' commits to social justice, social rights and ensuring 'a decent and meaningful life' (Rugkåsa, 2012) for its members. I consequently understand these limited inclusionary policies and practices, the simultaneous inclusion and exclusion, as forming part of the Norwegian state's management of 'undesired' migrants, or welfare bordering (Guentner et al., 2016). Through allowing them access to social assistance in emergency situations, the nation verifies its self-identity as compassionate and 'good', while the migrants simultaneously are marked as unwanted by being excluded from ordinary, far more comprehensive provisions, confirming the state's commitment to migration control.

Many of my interlocutors shared Nils' sentiment of governmental guidelines, regulations and circulars being rather clear on who should *not* receive ordinary social assistance while still finding assessments of legal and habitual residence complicated. Guidance concerning what constitutes an emergency situation in cases involving homeless EU migrants is, conversely, lacking, as indicated by Karianne. This suggests that their potential inclusion in limited

public social welfare provisions grounded in humanitarian reason, such as emergency assistance, is indeed unpredictable, insecure and susceptible to social workers' assessments of deservingness of welfare, or moral bordering – to which I now turn.

## What counts as an emergency situation?

In line with observations in the literature on encounters between migrants with precarious citizenships statuses and social workers in public social services, my interlocutors conveyed that their opportunities to provide assistance were profoundly restricted by 'the law' (Ekendahl et al., 2020; Jönsson, 2014; Synnes, 2021). Rakel reflected on the following:

I have had many cases where I have thought, of course, if it was up to me, we would have a bigger moneybag and just help those who are here. At least if we see that these are people who will be able to manage on their own here, if they just get the right kind of help. Then they can create a life for themselves here. We can help them get employment, we could. . . [. . .] It would have been much nicer if we could help them, and just say that 'Well, they are here, so. . .' But we are regulated by the legislation, so we can't. We can justify some help by arguing that they are in an acute situation, but only for a short period of time.

As Rakel alluded, resonating with Karianne's statements, most social workers underscored an opening for exercising some discretion and their consequent obligation to assess each case individually with regards to whether it constitutes an emergency situation according to the Social Welfare Regulation. Lisbeth said the following, also echoing Karianne's deliberations:

The law always opens for helping in acute situations. [. . .] Of, course we always do, [assess whether it is an emergency situation]; we are obliged to. But it rarely is. [. . .] But I also think that we at our office, or in Oslo, are stricter than we have to be according to the law.

These rather ambiguous reflections substantiate my claim that despite a perceived strictness of 'the law', who and which situations are deemed legitimate of emergency assistance is far from standardised, warranting a closer exploration of the moral dimension of social workers' deliberations on what constitutes an emergency situation in cases involving homeless EU migrants. While the themes discussed in what follows intersect and generally appear simultaneously in my interlocutors' reflections, I have separated them analytically. I start by exploring how social workers distinguish between the 'worthy' and the 'unworthy' in this context and thus partake in marking 'the

boundaries of organised social solidarity' (Lorenz, 2006: 16). Next, I discuss how they morally evaluate the differentiation in welfare provision to members and non-members of the welfare state, as well as the hierarchisation of non-members – or bordering processes – of which they are part.

### ***Moral bordering. . .***

Circumstances where migrants were in danger of freezing or starving 'to death' were highlighted by my interlocutors as potential emergency situations qualifying for assistance. Several studies concerning access to welfare for migrants with precarious citizenship statuses have shown that starving, freezing and sick bodies tend to be perceived as the most legitimate, or rightful, recipients of welfare services grounded in humanitarian reason (Fassin, 2012; Karlsen, 2021; Ticktin, 2011). However, as put by Karianne, 'that is not enough'.

One case I followed concerned a Romanian man who underwent planned surgery at an Oslo hospital. Upon his discharge, which happened during winter, he did not have a place to stay nor money for subsistence. With the support of a hospital social worker and an NGO social worker, he applied for emergency assistance from the public social welfare administration. His application was rejected, then appealed with the Ombudsman's help. The rejection was sustained by the County Governor (see Misje, 2020), mainly because his situation was not deemed an emergency – it had not occurred acutely since the operation had been planned. Lisbeth reflected thus when we discussed this case:

Well, what characterises an emergency situation is that it has happened acutely, and that the person does not have other opportunities. Acute, like violence, murder, fire, rape, right, something you could not have planned for. [. . .] To not have a place to live after a planned surgery – that is not an emergency. That is bad planning. That is something different.

When I discussed the case with Siri, a social worker involved in rejecting the application, she said:

It sounds harsh, but when you come here looking for work or other income, your health should be in order. That is what I think. You have in a way decided on that step yourself, and you are the one responsible for that decision.

An emergency situation was, in line with Siri's and Lisbeth's deliberations and encompassing bodily suffering, described by social workers as *being outside of the migrants' control* (Jørgensen and Thomsen, 2016) or a situation they could not be 'blamed' for (Jönsson, 2014; Karlsen, 2021).

Concurrent with other studies' observations, the migrants discussed as the *least* to blame for their suffering were victims of violence, people who had fallen unexpectedly ill and children (see Jönsson, 2014; Karlsen, 2021; Ticktin, 2011).

That 'perceived innocence is important for suffering to become recognised' (Karlsen, 2021: 55) also comes through in Sofie's reflections below. Corresponding with Siri's earlier implications, Sofie's deliberations moreover suggest that concerns with 'poor' people travelling across borders to receive welfare services, or 'welfare tourism' (Jørgensen and Thomsen, 2016; Synnes, 2021), influence assessments of whether homeless EU migrants are entitled to emergency assistance:

Well, one thing is that you are without money for food or a place to sleep. Of course we have to take that into consideration. But one could also say that travelling to Norway without having prospects for a job or knowing that you have a place to sleep is a planned situation. [. . .] You cannot travel here and expect to be provided for by the Norwegian state. So that is not an emergency, or something acute.

Scholarship concerning migrants and deservingness of welfare has commented on how also acknowledged members of welfare states are subjected to moral evaluations of whether they are legitimate recipients of public welfare (e.g., Guentner, et al., 2016; Jørgensen and Thomsen, 2016; Karlsen, 2021). While my data do not permit me to compare assessments of applications for emergency assistance according to the Social Welfare Regulation with those treated according to ordinary emergency provisions in the Social Welfare Act, it is noteworthy that the Social Welfare Act Circular with regards to the latter cases states that a person in an emergency situation cannot be rejected and that '[w]hy the situation has occurred is of no significance' (Arbeids- og velferdsdirektoratet, 2012). No similar wording is found in legislation concerning homeless EU migrants, potentially indicating an intended differentiation on the part of the policy makers between members and non-members of the welfare state concerning questions of worthiness of welfare.

### **. . .and the conflicting morals of borders**

My study suggests that social workers find themselves 'guarding the borders of the welfare state' (Synnes, 2021). Some were more explicit than others about this being part of their job – and seemingly comfortable with this position – such as Lisbeth, who answered my question of whether she felt responsible for the sustainability of the welfare state as follows:

Definitely, I certainly feel that responsibility; it is a central part of my job. To manage our communal resources. I am thinking of the future – if we are to

maintain our welfare benefits, which is a fantastic system. If everyone coming here were to get access to our common funds, our system could not have borne it.

The majority of social workers had more conflicting sentiments regarding their role in this nexus, as reflected in Nils', Karianne's and Rakel's statements earlier. Many raised dilemmas of finding it hard for their 'social worker heart' to be unable to help people who were in need, though not needy enough for emergency assistance, 'just' because they did not have the right papers – such as the registration certificate for EU/EEA nationals<sup>5</sup> – to prove their ties to Norway; these could have entitled them to ordinary social assistance.

In the social workers' accounts, certain cases stood out as more morally challenging for them to reject. These included seriously ill migrants whose situations were not deemed acute enough; those who, as indicated by Rakel, could have managed 'on their own here' in terms of getting registered employment if they received some assistance; or those who *had* worked in Norway for several years but were not entitled to public social welfare, for reasons discussed by Karianne:

Those who have been here for many years, like some of the Polish men, and have somehow gone under the radar, I find those cases more difficult [than those involving migrants coming to Norway to beg for shorter periods of time]. Because they have often worked, registered or unregistered, and therefore contributed to the Norwegian society in one way or the other. But never for long enough periods to entitle them to assistance from us. And they often do not have any ties to Poland anymore. That they cannot get any help is unfair, in my opinion.

Others, such as Lisbeth, found these cases unproblematic, highlighting the 'immorality' of unregistered work:

There is a cost to not being part of the formal labour market, to doing unregistered work – at some point you have to pay the price. Which in cases like this means that we cannot help you. So you must go home.

That 'labouring' bodies, even if exploited, are deemed less deserving of public welfare than 'sick' bodies since their situations are seen as self-inflicted concurs with Ticktin's (2011) observations from France. Most of my interlocutors did, however, share Karianne's views; moreover, the examples social workers gave of instances where they *had* granted emergency assistance mostly involved situations similar to those highlighted by Karianne. This suggests that in the Nordic context, in contrast to less comprehensive welfare states, migrant workers, and even prospective workers – as opposed to migrants who beg – are more likely to be deemed deserving of public assistance grounded in humanitarian reason due to their perceived potential contributions to society,

or ‘presumed “utility” to the nation’ (Keskinen et al., 2016: 324; Synnes, 2021).

The situation of the Roma warrants special consideration. In Norway, as across Europe, they are perceived as more ‘undesired’ than other poor migrants and are racialised in terms of being associated with ‘begging, pick-pocketing and the littering of public places’ (Johansen, 2016: 169; Misje, 2021). A ban on sleeping outdoors was introduced in Oslo in 2013, following an increased presence of homeless EU migrants in the city. While it was neutrally formulated, the public debate preceding it leaves no doubt that it specifically targets Roma migrants (Johansen, 2016). Similarly, policy makers’ earlier discussed concerns with a potential growth ‘in EEA citizens without means to support themselves’ when developing the present social welfare legislation, substantiate that the Roma are indeed particularly ‘undesired’ in Norway. While no blatant racialisation surfaced in my interlocutors’ reflections, migrants associated with begging, i.e. the Roma, seemed to be considered less eligible, or ‘worthy’, also of emergency assistance, since they, as hinted at by Rakel and Karianne, in contrast to (prospective) workers neither ‘contribute’ to the Norwegian society nor are seen as potentially able to ‘manage on their own’ following such assistance. These ‘hierarchical conceptions of human worth’ (Mayblin et al. 2020: 108), thus, might result in differentiation *between* migrants with precarious citizenship statuses as regards access to even limited forms of public aid.

Social workers’ deliberations on what constitutes an emergency situation in cases involving homeless EU migrants, and how they morally justify – and question – their decisions, come through as contradictory and ‘messy’, characterised by conviction, doubts, prejudices and reflexivity. The helplessness described by many also had a bearing on what they perceived as relevant ‘information, advice and guidance’. Along with emphasising the importance of informing migrants of their ‘rights and obligations’ in Norway, my interlocutors’ reflections centred on informing about NGO-run services available to these migrants and advising them to travel ‘home’.

Many social workers voiced an appreciation of the ‘NGOised’ parallel social service system accessible to homeless EU migrants in Oslo (see Misje, 2021). Others, such as Nils, while acknowledging the need for ‘taking care of them when they are here’, pointed to potential dilemmas embedded in such ‘structural compensation’ i.e., ‘referring a person excluded from the welfare system to alternative providers’ (Cuadra and Staaf, 2014: 92):

[I]t sends a rather double signal, because we encourage them to not stay in Norway if they do not have any income, but then what we do is to refer them to free accommodation, or to a lot of things which are free. [. . .] I would not have given them information about or advised them to go to these places, I would rather have advised them that they have no rights here and should go home [. . .]

because if I did advise you to go to these places, it would be the same as advising you to stay in Norway [. . .] and the reason for us rejecting your application is that you are not allowed to stay in [Norway] or, well, that you do not have the right to assistance from NAV.

While seldom as explicitly put as by Nils, my interlocutors' deliberations do in totality suggest that in cases involving homeless EU migrants, their partaking in 'guarding the borders of the welfare state' (Synnes, 2021) or marking 'the boundaries of organised social solidarity' (Lorenz, 2006: 16) implicated involvement in the Norwegian state's management of 'undesired' migrants, or migration control. The information and advice provided in these cases at the same time reflects 'emotional unease' concerning visible poverty and homelessness (Djuve et al., 2015). Concerns with what and how much homeless EU migrants may be 'allowed' to suffer on Norwegian territory (cf. Karlsen, 2021) shine through in Raket's reflection:

Yes, that is what we advise people to do [to go home], because that is where they have their opportunities, their rights. They will be taken care of there. While here, well, we do not want people to wander about here [in Norway] without having food on the table and roof over their head. But we still cannot give them emergency assistance.

## Social work and the problem of territorial belonging: A concluding discussion

This article has argued that rather than being wholly excluded from public social welfare provisions in Norway, homeless EU migrants are *precariously included* in ways that are solely meant to relieve acute suffering. This inclusion is unpredictable, insecure and susceptible to social workers' assessments of deservingness of welfare, or *moral bordering*.

Some situations, or migrants, were in my interviews with social workers in the Norwegian social welfare administration discussed as being less to blame for their own predicaments, and thus more 'worthy' of inclusion in the limited public provisions grounded in humanitarian reason. 'Belonging' to the nationalised Norwegian welfare state did nonetheless come through 'as a prerequisite for being found to deserve' (Cuadra, 2015: 306).

Given how professional social work in Norway was tied up with the expansion of a national welfare state project (Misje, 2020), it is not surprising that 'taken-for-granted ways of thinking about territorial belonging', or sedentarism, (Righard and Boccagni, 2015: 230), including moral concerns with 'sick' or 'poor' people's movement across national borders, surfaced in my interlocutors' accounts. How they defined 'boundaries of solidarity' (Lorenz,



2006: 26) seemed to be shaped by the naturalised nation-state framing of social work in this context (Olivier-Mensah et al., 2017; Righard, 2018). As long as those deemed members of the welfare state mostly equated those residing inside Norway's borders, this exclusionary potential inherent in the close association between social work practice and a nationalised welfare state, seems to have been largely left unobserved. Such sedentarist assumptions are being challenged by increased migration and border-crossing. While showing sympathy with individual situations, social workers in my study rarely questioned these structural underpinnings, including how states are exempted from 'the responsibility of caring for those not deemed to belong because their right to be protected and cared for lies "somewhere else" irrespective of the major inequalities that exist between states in terms of wealth and stability' (Karlsen, 2021: 2).

Ideas of territorialised deservingness also surfaced more subtly in my interlocutors' deliberations; migrants considered (potentially) 'productive' in terms of contributing economically to the society (Keskinen et al., 2016; Nobe-Ghelani, 2017) were seemingly deemed more 'belonging' than others and hence more worthy of public social welfare grounded in humanitarian reason than migrants who beg, i.e., Romanian Roma. While not in a blatant or straight-forward manner, racialisation thus seemed to play a role in assessments of deservingness of public welfare, or processes of moral bordering. Moreover, this signals a willingness, albeit being fraught with 'despair and distaste' (Oeye et al., 2007), to differentiate between the worth of human lives within the same 'space' (Mayblin et al., 2020) also amongst social workers.

Moral concerns with people's mobility, and particularly with 'poor' people's mobility, and their worthiness of societal inclusion and assistance from the community is not a new topic within social work – nor are discussions of territorial belonging and deservingness restricted to people who move across national borders (Cuadra, 2015; Dahlstedt et al., 2019; Lorenz, 2006; Persdotter, 2019). Moreover, dilemmas of balancing care and control are not specific to social work with migrants but intrinsic to social work in general (Ekendahl et al., 2020; Lorenz, 2006). Social workers partaking in defining and guarding the borders of the welfare state, including determining who are morally legitimate recipients of very limited forms of aid, nonetheless take a specific shape when poor people's crossings of national borders are involved, implicating social workers in the Norwegian state's management of 'undesired' migrants, or migration control.

This is a challenge for a profession priding itself with working for inclusion and social justice for all, in need of both further research and sustained critical reflection from within the social work profession itself. While individual social workers have raised concerns of the entanglement of social work and migration control (Näsholm, 2018), the Norwegian social work profession at large has yet to engage critically with the exclusionary potential inherent

in its self-identification as a welfare state profession (Misje, 2020), including how social workers partake in managing ‘undesired’ migrants.

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## Notes

1. All names and some details throughout have been altered or omitted to ensure anonymity. The study was approved by the Norwegian Centre for Research Data (NSD). Consent was obtained from all involved and re-affirmed at several stages.
2. While not a member of the EU, Norway is party to the EEA agreement. EU migrants can therefore stay freely in the country for three months without registering with the authorities.
3. I employ the term *migrants with precarious citizenship statuses* (cf. Lafleur and Mescoli, 2018) when talking of this larger group to avoid connotations of illegality.
4. NAV’s assessment of legal residence does not affect EU migrants’ right to reside in Norway, which remains the concern of the immigration authorities, solely their right to social welfare services (Arbeids- og velferdsdirektoratet, 2018: 3).
5. EU migrants staying in Norway for more than three months must register with the authorities. Very few amongst the migrants of concern in this article could fulfil the requirements for registering and receiving such a certificate.

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