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Declaration

I, Ingeborg Haukvik, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

Acknowledgement

I would like to thank my supervisor Sarvendra Tharmalingam for guidance and constructive criticism throughout the working process.

Thanks to Mari Seilskjær, Glenn Simon Nerdal and Karsten Karlsøen for participating in interviews for the thesis.

Abstract

This master thesis explores the national and international influence in formulation of refugee and asylum policy of the Conservative government that gained political power in 2013, by giving attention to the policies of the main constituent parties namely the Conservative Party and the Progress Party. The process of formulating the refugee and asylum policy has been an interaction between interests and influences on the national and international level. Tensions between international human rights and sovereign state are encountered in national policy formulation on the issue. The thesis examines these tensions and dilemmas with a theoretical framework of normative theory that discusses differences between cosmopolitanism and communitarianism. International obligations demand the government to comply with international conventions related to refugees. However several scholars argue that the contemporary world is communitarian; this suggests national influence and national policy is important in refugee policy formulation.

Factors influencing the refugee and asylum policy on the national and international level will be examined based on social constructivism. International obligations are not the only factor influencing the refugee and asylum policy of the government. National factors do have crucial importance. Examined in this research are: parties influence on policy, parties influence on each other, public opinion, media and NGOs. Factors on the international level are: EU policies, international obligations and UNHCR. Among these factors all are important in influencing the refugee and asylum policy to the Conservative government to some extent. The interplay between these influences is important and all can be decisive in different times and different settings.

Abbreviations

CEAS	Common European Asylum System
CRC	Convention on the Right of the Child
ECHR	European Convention on Human Rights
EU	European Union
IDP	internally displaced person
IO	International organization
IR	International Relations
ITA	Inductive thematic analysis
NGO	Non- Governmental organization
NOAS	Norwegian Organization for Asylum Seekers
UDHR	Universal Declaration on Human Rights
UDI	Norwegian Directorate of Immigration
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

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1.0 Introduction

The main objective of the thesis is to explore the process of policy formulation of the present Conservative Norwegian government that gained political power in 2013 by looking at ruling parties' policies on refugees and asylum seekers, and national and international factors that influence the process. The constitutive parties of the Conservative government are namely the Conservative Party and the Progress Party. The government cooperates in an immigration agreement and a supplementary agreement with the Liberal Party and the Christian Democrats. The field has offered debates and dilemmas between the parties and especially concerning the issue of "long staying children". Differences between the four parties are evident on how they tackle dilemmas between national and international influence on the refugee and asylum policy.

Refugees and asylum seekers are central in national and international politics. Refugees flee the country of origin because of conflicts and human rights abuses. The country is unwilling or unable to offer protection to its citizens (Betts & Loescher, 2011: 1). When refugees flee their country of origin they become under the protection of the international community, and international human rights and refugee rights conventions. This includes for instance the Refugee Convention, the Convention on the Right of the Child (CRC), and the European Convention on Human Rights (ECHR). These international obligations have been incorporated in Norwegian national laws (Øyen, 2013c: 183). The Norwegian Immigration Act article 3, states "the Act shall be applied in accordance with international provisions by which Norway is bound when these are intended to strengthen the position of the individual" (Ministry of Justice and Public Security, 2014). International obligations influence the policy of the Conservative government and constitutive parties, and this will be explored through social constructivist theory.

Refugees arrived mainly as transfer refugees to Norway until the middle of 1980s, through agreements with UNHCR (Brochmann & Hagelund, 2010: 236). From the 1980s an increasing number of asylum seekers to the country received attention from the political parties. Controlling asylum seekers became essential and are still highly important for the government and the political parties (Brochmann & Hagelund, 2010:240- 241). The government ought to find a balance between protecting the state interests and its citizens, and assisting foreigners and refugees based on international obligation.

Refugees offer moral responsibilities and dilemmas for the Conservative government. Moral responsibilities concerning refugees are addressed from normative theory and the tensions between communitarian national rights and cosmopolitan international rights.

Communitarianism focuses on the rights of citizens within the state and the importance of national interests. Cosmopolitanism focuses on equal rights to all humans that should apply across national borders. The cosmopolitan human rights are embedded in international laws and obligations (Brown, 2011). On the one hand international laws and obligations constrain states regulations regarding asylum seekers and refugees. On the other hand communitarian sovereignty rights are still highly significant. The tensions between these rights will be explored based on the policy of the sitting Conservative government and the Conservative Party and the Progress Party.

1.1 Immigration to Norway

In 1970s an increasing number of labour immigrants arrived to Norway. Already in the 1975 Norway implemented an “immigration halt“. The halt was introduced before Norway had a large immigration population (Brochmann & Hagelund, 2010:229; Øyen, 2013c). The main purpose was to restrict labour immigrants arriving to Norway (Gudbrandsen, 2010: 251). The Conservative Party was generally positive towards the workforce immigrants could provide Norway. People from poorer countries had the opportunity to contribute to the wealth (Brochmann & Hagelund, 2010: 230). In 1985, 8600 asylum seekers arrived in Norway compared to only a few hundred the years before. This caused anxiety among several politicians. In 1987 the Progress Party, with party leader Carl I Hagen, promoted increased control and regulations towards immigrants and asylum seekers. The party experienced the best election yet and gained 12% of the votes. Immigration policies had a potential source of votes which could not be ignored by the other parties. This was a turning point for public debates concerning immigration. Hence immigration could no longer be discussed without including viewpoints from the Progress Party. Nevertheless at this time most parties distanced themselves from the Progress Party and the xenophobia it was accused of promoting (Brochmann & Hagelund, 2010: 244- 245). The Party continued to focus on the issue during the 2000s.

During the 2000s the number of immigrants and asylum seekers continued to increase. In 2002 the number of asylum seekers reached a highpoint with 17 500 applications (UDI, 2003). After 2002 a series of restrictions were introduced in Norway and in the EU (Brekke, Aarset, Andenæs, & Lidén, 2010: 16). Additionally in 2008, Norway experienced a large number of asylum seekers and 14 400 applied for asylum (UDI, 2009). Weiner (1995: 9) suggests that many states fear that they no longer can control the entry of foreigners. This is apparent in the conservative opposition. They suggested the asylum and refugee policy was out of control. Again, the Labour government introduced a series of restrictions on refugee and asylum policy in 2008 and 2009, with the objective of reducing the number of asylum seekers arriving at the borders (Brekke & Aarset, 2009: 50). A Conservative government was elected in 2013. The Conservative Party and the Progress Party are perceived to be among the parties in Norway with the strictest refugee and asylum policy.

Furthermore, a welfare state like Norway can face challenges with immigration according to Brochmann and Hagelund (2010). In order for the welfare state to survive the majority of the population is required to work. During the 1990s and 2000s it was evident that among the population with non- western background, a higher number in percentage were without jobs compared to the rest of the population. Especially refugees were unemployed (Brochmann & Hagelund, 2010: 214- 216). Brochmann and Hagelund (2012: 219) argue that the welfare states will most likely cease to exist if immigrants and refugees will continue to increase in the future. The problem is that people that cost the most belong the least to the society. Hence the legitimacy for the welfare state will weaken in the long run because of the multicultural society. To prevent the fall of the welfare state, newcomers are required to be included in productive activity and social interaction in society, according to Brochmann and Hagelund (2012: 219). Nevertheless when it comes to refugees, states are required to consider international obligations and humanitarian commitments (Brochmann & Hagelund, 2010: 215).

1.2 Research questions

The main research question is as follows: *What are the factors that influence the formulation of refugee and asylum policy of the present conservative coalition government of Norway?*

The dissertation has two sub questions. The two sub questions are:

1. *How do ruling political parties shape the formulation of refugee and asylum policy?*
2. *How do national and international factors influence the refugee and asylum policy formulation?*

The Conservative government won the election in 2013 and formed a minority government. Therefore the Conservative Party and the Progress Party cooperate with the Christian Democrats and the Liberal Party on an immigration agreement and a supplementary agreement. The formulation of the agreements and the individual policy to the parties in government will be discussed based on influence and tensions between cosmopolitan human rights, and communitarian national rights. Moreover various international and national factors influence the policy to the government and the Conservative Party and the Progress Party. National factors include party politics, public opinion, media and NGOs. Factors included on the international level are EU policies, international obligations and UNHCR influence on refugees and asylum policy.

Furthermore, Betts and Loescher (2011: 3) argue that little research exists on refugees in International Relations (IR), despite the central role of refugees in international politics and national politics. Nearly all states are affected by refugees. Either a country produce refugees or host refugees, or both (Lester, 2005: 125). In 2014 the number of asylum seekers, refugees and internally displaced persons exceeded 50 million (UNHCR, 2014b). The question remains how the increasing number of refugees and displaced persons should be tackled within national states and the international community. Because of the highly central role of refugees in international relations and national politics, scholars of International Relations (IR) should not ignore the issue. IR scholars offer explanations on state behavior and interests; consequently to examine the behavior of the sitting Conservative government towards refugees is important within this approach. The policy formulation is based on national as well as international factors and the government is required to balance sovereignty interests with refugee rights. An IR approach may offer rich insight into international relations and national interests and are therefore the preferable when discussing the interplay between international obligations and national policy. Also to my knowledge, the refugee and asylum policy to the government has not previously been explored in IR.

This dissertation is structured in the following way. Chapter two addresses the theoretical framework. Normative theory and the tension between cosmopolitanism and communitarianism are discussed based on refugees as “outsiders” in the chapter. Thereafter

Social Constructivism focusing on norm influence and IOs power which are central for international obligations and refugees in an international community context are discussed. The third chapter discusses the methodology for the study. A qualitative approach used for this research will be discussed, and also how data were obtained. Fourth, a short chapter examines the individual party policies to the Progress Party and the Conservative Party. Afterwards the findings will be discussed in chapter five and six. Chapter five discusses national influence while chapter six discusses international influence. Factors influencing the asylum and refugee policy to the government, and the Conservative Party and the Progress Party will be emphasized. In chapter seven a discussion regarding tensions between communitarian national interests and cosmopolitan international rights is found. Finally the dissertation will be concluded.

2.0 Theoretical framework

The theoretical framework discusses theories employed in the research. Normative theory addresses tensions between national and international interests when meeting refugees. Social constructivism focuses on the social world as socially constructed and can thus provide an understanding on how refugee and asylum policy is constructed.

2.1 Normative theory

Refugees create moral dilemmas in host countries. An increasing number of refugees are arriving at the borders, but states cannot permit everyone to enter (Weiner, 1996: 18). In IR a separation between empirical theory, as realism and liberalism, and normative theory is established (Brown, 1992: 1- 3). Normative theory focuses on what we “ought” to do. It is action guiding and the discipline is divided into two theories, namely cosmopolitanism and communitarianism. In this chapter normative theory is discussed in the context of refugees and asylum seekers.

2.1.1 Cosmopolitanism

Cosmopolitanism acknowledges moral responsibilities to all humankind, not only to fellow-citizens. Scholars within cosmopolitanism suggest borders are not morally legitimate, but acknowledge to some degree the necessity of their existence (Brown, 1992; Parker & Brassett, 2005: 240). Cosmopolitanism has its upspring from the Enlightenment, and Kant is one of the most important thinkers (Brown, 1992: 14; 2011: 154). Kant and other critical cosmopolitan scholars do not argue for a world state as one might anticipate (Brown, 1992; 2011: 154; Nyere, 2010: 1076). Kant recognizes to some degree the rights of refugees. He acknowledges the moral responsibility toward strangers by the right of hospitality to all men (Brown, 2011: 154). The right of hospitality regulates the rights between members and strangers and is found between human rights and civil rights (Benhabib, 2004: 26 - 27). Kant explains:

Hospitality [*Wirtbarkeit*] means the right of a stranger not to be treated as an enemy when he arrives in the land of another. One may refuse to receive him when this can be done without causing his destruction; but, so long as he peacefully occupies his place, one may not treat him with hostility. It is not the right to be a permanent visitor [*Gastrecht*] that one may demand. ... It is only a

right for temporary sojourn [*ein Besuchsrecht*] ... (Kant [1795] 1923, 443; cf. 1949, 320 in Benhabib, 2004: 27)

Accordingly, Kant suggests a separation between temporary sojourn and permanent resident, and argues that temporary residency cannot be refused (Benhabib, 2004: 28). To deny foreigners to enter the country when this can be done peacefully is unjust (Benhabib, 2004: 30). Kant does not prioritize the rights to all humanity over rights to fellow citizens (Brown, 1992; 2011: 154). However he recognizes states obligations to foreigners. Moreover, Kant suggests one may refuse to receive foreigners if this does not lead to their destruction. This is known as the non- refoulement principle (Benhabib, 2004). Benhabib (2004: 35) suggests that the Refugee Convention has incorporated non- refoulement in article 33. The principle is also incorporated in article 3 of the ECHR (Fauchald & Tuseth, 2012: 258). Haddad (2008: 81) claims that the principle about non- refoulement illustrates solidarity and cosmopolitanism thinking in a pluralist world. The principle illustrates the equality of all humans and the thinking of absolute borders are undermined (Haddad 2008: 81).

Perceptions that open borders are ethical have been central for traditional cosmopolitan scholars. John Rawls (1971; in Weiner, 1996: 173- 174) suggests that you are born in a country by chance. If you could choose the country you want to inhabit behind a “veil of ignorance” or the “original position” you would choose the country with a peaceful democracy and prosperous society. Therefore scholars such as Peter Singer (1988), Henry Shue (1980) and Charles Beitz (1979), argue that open borders would give people born in an disadvantageous society the possibility to better their lives (in Weiner, 1996: 174). This suggests without borders refugees and asylum seekers would freely be able to move and resettle within a host country.

Furthermore, the argument about open borders originates from opinions that there are economic inequalities between states (Weiner, 1996: 174). The contemporary state system is uneven, and wealth, natural resources, equality, and physical security are not divided equally between states. Menz (2009: 3, 4) claims it is a paradox when Western governments promote free trade, but do not respect the flow of people. Borders are barriers to a more equal world and protect the richest and the least crowded states according to cosmopolitan scholars (Gibney, 1999: 172). However only in principle, cosmopolitanism will require open borders. Bader (1995: 214) suggests that from a justice argument inequality between and within states cannot be morally defended, and therefore he argues for “fairly open” borders. In relation to

refugees, Peter Singer and Renata Singer acknowledge there might be a time when the negative effects on the host country can outweigh the positive effects of refugees. It can be justifiable then to limit admission (in Carnes, 1992: 36). This suggests that Bader and Singer and Singer acknowledges the necessity of borders and control, and recognizes problems and unjust relations that may arise from open borders (Parker & Brassett, 2005: 246). Cosmopolitanism is therefore forced to compromise their argument more in line with the communitarian approach.

2.1.2 Communitarianism

Communitarianism suggests states only have limited responsibilities toward outsiders. They offer moral claims for why states should have borders and sovereignty (Parker & Brassett, 2005: 240). Hegel is an important theorist within this position. He separates between ethics to the community and morality towards the whole mankind, and focuses on ethics to the community (Brown, 2011: 154). Like Kant and Walzer (1983: 34), Hegel does not argue for a higher authority than states, he argues for the importance of sovereignty. Hegel believes there can be norms about what states ought to do, however he is opposed an international law that states are obligated to follow. The states ought to promote and protect the economic interest of the population and therefore people demand states' individuality and self-determination (Brown, 1992: 62). Brown (2011: 154) argues that Kant and Hegel's theories have little relevance today, and they did not discuss refugees. However Kant and Hegel are describing attitudes, thinking and moral categories that can be used in contemporary research according to Brown (2011: 154). Scholars have based arguments on Hegel and his perception of the sovereign states, among them is the communitarian theorist Michael Walzer.

Michael Walzer is important among communitarian theorists. Unlike classical cosmopolitanisms such as Bader (1995: 214), Betz, Singer and Singer, Walzer asserts open borders will be unjust (Weiner, 1996: 175). Walzer believes, like Hegel, that states should have self-determination and the right to control membership within the states (Brown, 2011: 155). The members of the community should be able to define who they are, who to accept, and what kind of community they want to inhabit. If no borders existed we would "create thousand petty fortresses" according to Walzer (1983: 39). Walzer (1983) argues for borders not because they exclude, but because of the inclusiveness within the borders. Within a state

or a political community a “shared understanding” is constructed between the members, where understandings and values have developed through time (Walzer, 1983).

Walzer (1983) argues the political community has the right to protect the shared understandings and therefore have no obligation to protect people that do not share the same values. This is similarly to the notion of “imagined communities” promoted by Anderson (2006), and “imagined sameness” within Norway and the perception of an imagined culture and sameness within the borders according to Gullestad (2002). Communitarians argues the national and cultural community shapes the self (Gibney, 1999: 172). Responsibilities and attachments we incur in the political community are part of personal identity and with obligations to outsiders identity may change (Miller 1998: 650 in Gibney 1999: 172). In addition between the people in the community there is trust and the members share something that are not shared with outsiders (Walzer, 1983). For instance Brown suggests that in liberal democratic welfare states the democratic values may not be respected by all foreigners (Brown, 2011: 156). Walzer (1983) argues in favour of a welfare state that protects and provide benefits for its citizens. Brown argues that, the Scandinavian welfare states are based on a strong sense of community and they are “good international citizens” and support UN. However they are not cosmopolitan, they have strict border controls and have resisted various supranational elements from EU (Brown, 2011: 157). Walzer (1983) argues that no welfare state can survive with open borders.

Cosmopolitan scholars have difficulties criticizing the welfare state, however scholars have been critical towards this view of political and cultural communities (Brown, 2011: 158). Several argue that shared understandings can quickly change and few states have in reality a shared understanding among the population (Brown, 2011: 156). States are not homogenous cultural communities with a shared understating, and within a state it exists numerous national groups (Gibney, 1999: 172). Moreover scholars have suggested Walzer is “romancing the nation” (Lubans 1983 in Parker & Brassett, 2005: 243). Bader (1995: 217) criticizes Walzer’s understanding of a state. He suggests Walzer (1983: 35) presents the state as an analogy of “neighborhoods, clubs and families”, despite the fact that states are not historically seen as warm and democratic. States are rather historically seen as cold institutions based on enforced membership and physical violence, however Bader also recognizes differences between national states (Bader, 1995: 218).

Furthermore, Walzer (1983) argues that the fundamental rights to protect national culture limits the responsibilities to refugees and asylum seekers, in contrary to cosmopolitanism. Although he suggests states are constrained by mutual aid. When costs are low refugees should not be refused to seek asylum, but states should not let in an overwhelming number. Under normal conditions the number of asylum seekers will be low according to Walzer (1983: 48- 51). Singer and Singer believe refugees coming to our borders should not prioritize over refugees far away. To prioritize asylum seekers at the borders and not receive refugees from conflict zones is similar as sending people back to persecution, they argue. Carnes (1992: 38) suggests Singer and Singer overestimate. To fail to receive refugees from conflicts zones are not the same as denying entry or deporting. Carnes argues if we purposely try to keep refugees from our borders, we are responsible for sending refugees back to persecution. He suggests we cannot be informed of the number of people experiencing similar dangers or worse. However he acknowledges that people coming to the West are often those with most resources, and the most desperate are stuck in camps (Carnes, 1992: 38- 39). Carnes (1992: 38) draws from Walzer (1983: 51) in prioritizing refugees seeking asylum over other refugees because, as suggested by Walzer, if we deny refugees at the borders we must keep them out by force. Carnes suggests this is harder to our moral sensibilities, and thus it is positive that Singer and Singer challenge this perception (Carnes, 1992: 42). Carnes argues for an approach between the two extremes of Walzer communitarian thinking and Singer and Singers cosmopolitanism thinking (Carnes, 1992: 31).

2.1.3 Summary

Benhabib (2004) and Haddad (2008) suggest the contemporary world is communitarian. According to Haddad (2008: 85) human rights are cosmopolitan in a pluralist world, in other words refugee rights are cosmopolitan in a communitarian world. In a global community and cosmopolitan society, a cosmopolitan justice could be achievable and human rights would be the primary intention according to Haddad (2003: 13, 92). Frost suggests that the tensions between individual rights and states' rights should be minimized even though it appears that we have to choose one over the other. When we participate in the state sovereignty system, we must try to act according to values from the international society and vice versa (Frost, 2009: 98, 99). Consequently, Norway is required to act according to international rights and state rights and ought to minimize the tension between cosmopolitan individual rights and communitarian state rights.

Both communitarianism and cosmopolitanism capture important moral points, however neither represent a satisfactory integration or balance of impersonal and personal moral claims according to Gibney (1999: 173). Gibney argues that if we on the one hand accept the cosmopolitan approach, states self-determination and provision of public goods would be undermined. On the other hand if we accept the communitarian approach the choice by some states to contribute little to protect refugees because of the right of communal autonomy will be justified (Gibney 1999: 173). Moreover, Brown (2011: 165) argues that these separations must not be taken too seriously. He suggests both accept the refugee definition, however none have an answer for what to do with classical refugees that do not wish to adapt to liberal values, for instance jihadist and “bogus asylum seekers” (Brown, 2011: 158). Brown and Parker and Brassett (2005) agree that in theory the cosmopolitanism and communitarianism, are “miles apart” but in practice it is a none-debate between the two theories (Brown, 2011: 159). Cosmopolitanism accepts the importance of borders while communitarianism proposes some “thin” universalism (Parker & Brassett, 2005: 3).

The main problem is the inability of normative theory to present an answer to “...what acting ethically involve” according to Brown (2011: 166). Obviously Western states need to be more humane in meeting refugees he suggests. Additionally critics argue political actors must act more ethical, however Brown suggests that this will not solve dilemmas and causes related to refugees (Brown, 2011: 166). A good theory is required for developing good policy, though Haddad suggests “these are turbulent times for both” (Haddad, 2008: 6). Haddad argues international relations are only humans, which are imperfect beings (Haddad 2003: 23). She argues that we need to distinguish between personal morality and morality that derives from public policy. Although Haddad suggests she may have argued for granting refugee status for all people apparently fleeing prosecution, one cannot expect policymakers to do the same moral choice because of the costs it involves. Refugee protection needs to be balanced against state interests. Haddad suggests, we must “re-imagine refugees and our responses to them, and where a state’s interest clash with those of the refugee we must continue to seek a compromise between the is and the ought” (Haddad, 2003: 23). Moreover Weiner (1996: 18) argues that between cosmopolitan and communitarian values are policymakers who respond to these dilemmas. Moreover how these dilemmas are constructed is explored by social constructivism.

2.2 Social Constructivism

Normative theory explains moral duties towards refugees and refugees as an outsider. While social constructivism helps to understand the construction of refugees policy, and how states and agents, norms and structures interact (Haddad, 2008: 15). Constructivism is not a single unified movement, it consists of several different perceptions and theories, and not all can be discussed here (Newman 2001: 247). However all agree the world is socially constructed through meanings, ideas and beliefs that are produced by interactions between agents (Wendt, 1992). Constructivism focus on ideational factors, in contrary to realism that focus on material factors (M Finnemore & Sikkink, 2001: 391; Newman, 2001: 247). Realism suggests that the international world exists “out there”, exogenously of human behavior (Wendt, 1992: 396). Contrary constructivists claim history does not evolve independent around human thought. The social and political world is not outside human consciousness and there are no natural laws, for instance in politics (Jackson & Sørensen, 2013). The world is intersubjective because of social communication, we understand others and others understand us (Adler, 1997: 327). Intersubjective beliefs (and ideas, concepts and assumptions) shared among multiple people are important in construction of reality. Groups in society as organizations, policymakers and other social groups, may share ideas that are embedded in institutions (Tannenwald, 2005: 15). For instance the concept of refugees appears as a social fact given exogenously, but it is dependent on human agreement about the issue and as long as the agreement exists refugees will exist (M. Barnett, 2011: 155).

Furthermore, Self- help and competing power politics are given exogenously as followed by anarchy according to realists (Wendt, 1992: 396). However, Wendt (1994) argues historical interactions have constructed identities and interest of states and therefore they may also change because they are socially constructed (Wendt, 1994: 384 - 385). Self- help is not a necessary outcome of anarchy. He agrees with realists that self- help is important in the contemporary world; however this is because of process, not structure (Wendt, 1992: 394). Structure has no power or existence apart from process. Self- help is not an essential feature of anarchy it is an institution. Therefore Wendt argues “anarchy is what states make of it” (Wendt, 1992: 395). Self- help and competing power politics are being produced by interactions between states (Wendt, 1992: 397). “Social threats are constructed, not natural” according to Wendt (1992: 405). Similarly, international norms are produced through interaction between states identities and interests (Haddad, 2008: 15).

2.2.1 International norms

Constructivists M. Finnemore and Sikkink (1998: 916) argue that norms are becoming central in IR. Norm research has revealed how “ought to be” has become “is”. What “should be” have been incorporated into political reality (M. Finnemore & Sikkink, 1998: 916).

Constructivism, liberalism and realism offer different approaches on how international obligations, human rights, refugee rights and norms influence states and why states accept international obligations. The main separation is between rationalists as realism and liberalism, and constructivism sometimes associated with idealism. Goodman and Jinks (2004) identify three social forces that can change state behavior, coercion, persuasion and acculturation. Coercion is associated with rationalism, though constructivism also recognizes its importance. Coercion refers to how states and institutions influence behavior of other states by benefits of comfort or punishments. For instances, when states realize that benefits from practice will exceed the costs from sanctions (Goodman & Jinks, 2004: 633- 634). Similarly, realists believe that states follow and accept human rights because of coercion. States are compelled to follow the rights by great powers (Moravcsik, 2000: 221).

States are constrained, and international norms and societal pressure constrains the behavior of elites according to liberalism (Checkel, 1997: 487). States can be pressured and shamed into accepting the norms (Checkel, 1997: 474). Moravcsik (2000) argues in line with liberal theory and suggests that states accept human rights to “reduce future policy uncertainty” (Moravcsik, 2000: 220). States change domestic policy based on instrumental calculations. States are self- interested and rational and when deciding to follow human rights they weigh considerations: “restricting government discretion and reducing domestic political uncertainty” (Moravcsik, 2000: 226). They accept human rights when the benefits of reducing uncertainty are higher than sovereignty costs (Moravcsik, 2000: 228) They are not persuaded by the public according to Moravcsik as constructivists suggests.

Constructivism argues that the effect goes deeper than rationalists, liberalists and realists imply (Checkel, 1997: 487). According to Checkel, constructivists believe a “shared understanding” on human rights norms is found between the states, this is similar to a shared understanding between people within states as argued by Walzer (1983). Moreover states learn and are persuaded to internalize the norms, this affects states identity and interests (Checkel, 1997: 474). Goodman and Jinks (2004: 635) refer to this as persuasion theory. International laws influence states through social learning. Norms are accepted through elite learning and change the behavior of elites (Checkel, 1997: 487). Governments are convinced that accepting

the rules are appropriate (Moravcsik, 2000: 224). Constructivists argue that identity change because of NGOs effect on transnational and national opinions. NGOs and publics within democracies establish transnational networks and universal discourses of human rights. Civil society at home and abroad will be mobilized and socialize domestic leaders and other countries leaders (M. Finnemore & Sikkink, 1998; Moravcsik, 2000: 223).

Finnemore and Sikkink (1998) address the emergence of norms through a “norm cycle”. Norms influence on three stages according to M. Finnemore and Sikkink (1998: 895), first, “norm emergence”, second “broad norm acceptance” and third, “internalization” (M. Finnemore & Sikkink, 1998). The first stage, norm emergence, refers to that norm entrepreneurs (people with organizational platforms) try to persuade and convince states (norm leaders) to accept the norms. Second in broad norm acceptance or “norm cascade”, norm leaders try to influence and socialize others to accept the norms. M. Finnemore and Sikkink (1998: 895) argue “a combination of pressure for conformity, desire to enhance international legitimation, and the desire of state leaders to enhance their self-esteem facilitate norm cascades”. International norms are important for states when its citizens are legitimizing the norms, hence states cannot adhere to the norms without the support of the population (M. Finnemore & Sikkink, 1998: 902- 904). The third stage in the norm cycle is internalization. On this stage the norms are taken- for- granted by the population. Debates concerning the norms would no longer be discussed in public debates, for instance, women’s rights to vote or slavery as useful. Not all norms complete the life- cycle (M. Finnemore & Sikkink, 1998: 895).

Additionally Goodman and Jinks identify a third mechanism, acculturation. Acculturation refers to how actors adopt measures and beliefs of surrounding cultures. A state identify with a reference group and through pressure to assimilate, behavior changes (Goodman & Jinks, 2004: 626, 638). Behavior is part of social structures, a relationship between reference groups and individual actors. Acculturation influence a change in behavior through changing actors’ incentive structures or minds and also by social environment changes (Goodman & Jinks, 2004: 638). Persuasion and “broad norm acceptance” are similar to acculturation; however it is two different forms of social influence according to Goodman and Jinks. Acculturation can be seen as a broader process of persuasion (Goodman & Jinks, 2004: 644). Moreover norms play multiple roles and therefore one should not stress one approach over the others according to Checkel (1997: 488). A rich study of norms will include the different approaches. He believes both liberalism and constructivism is right. “... Norms sometimes constrain and

sometimes constitute” (Checkel, 1997: 474). However this research focuses on norms or international obligations and national influence based on constructivist theory in IR.

2.2.2 International Organizations

Few scholars examine international organizations (IOs) in IR despite the increasing number and the prominent role of IOs and NGOs in international politics (Abbott & Snidal, 1998:3; M. Barnett & Finnemore, 2004). Social constructivists including the scholars Barnett and Finnemore, have sought to examine how IOs influence and behave in international relations. Like constructivists, realists argue that states are the main actors. In contrary to constructivists, realists believe IOs do not have power in their own terms (Dunne & Schmidt, 2011: 90; Wendt, 1994: 385). State behavior is affected little, if any, by international rules and organizations according to Mearsheimer (1995). However, if it is in the state’ best interest it will take part in international cooperation according to realists (Abbott, 1999: 365; Nielson & Tierney, 2003). Moreover realists do not dismiss international laws and cooperation as unimportant or unlikely, however states control IOs, and IOs are only tools for states (Abbott, 1999: 365; Dunne & Schmidt, 2011: 90; Nielson & Tierney, 2003: 243). Realists believe the most powerful states set the agenda for IOs and international laws, and they set the term of cooperation. States will not let international law and organizations, like UNHCR, constrain their decision- making according to realists (Dunne & Schmidt, 2011: 90).

M. Barnett and Finnemore (2004) argue that IOs like UNHCR, are more significant than suggested by realists. They agree with realists that states to some degree control IOs when states provide money, dominate the top down decisions and appoint the chief executive (M. Barnett & Finnemore, 2004: 4). For instance UNHCR is required to receive permission from states to enter their territories (Loescher 2001: 34). UNHCR is also dependent on “goodwill” from the industrializing states and the organization is a co- conspirator or silent when it comes to criticism of the West according to Hathaway (1990: 161 in Hathaway, 1991: 115). However Loescher (2001: 33) argues that UNHCR is not a passive actor without an independent agenda. UNHCR is driven by states interests and independent actions and has acted in ways not expected or even sanctioned by member states (Loescher, 2001: 33). M. Barnett and Finnemore (2004) argue that IOs act like bureaucracies. Bureaucracies have an internal logic and a distinctive social form of authority. Bureaucracies have authority, which further gives them autonomy.

M. Barnett and Finnemore (2004) argue that IOs authority is delegated, moral, expert and rational legal. IOs delegate authority from states, and to fulfill the delegated tasks IOs act autonomous in many situations (M. Barnett & Finnemore, 2004: 22). IOs act through impersonal rule because of bureaucracy power. In contrary, Loescher (2001: 51) argues that UNHCR adhere to the principle of neutrality. However, because the organization is working alongside UN peacekeeping and is an agency within UN it cannot be fully neutral (Loescher, 2001: 51). Moreover IOs are seen as promoters of progress, and they are expected to be more moral than single states (M. Barnett & Finnemore, 2004: 3, 5). IOs define good behavior, meanings and norms. They promote socially valued goals such as human rights, refugee rights and development. IOs suggest what human rights are, what violates human rights and how rights should be protected (M. Barnett & Finnemore, 2004: 7). In addition IOs see themselves as acting on the behalf of shared values and are representing the community's interests (M. Barnett & Finnemore, 2004: 23- 24). The staff of IOs can develop an "organization culture" and the staff promote interests and what they see as "good policy" through their expert authority (M. Barnett & Finnemore, 2004: 5).

The expert authority point out good political behavior (M. Barnett & Finnemore, 2004: 5, 33). IOs expert authority have obtained knowledge in different fields which make them trustworthy (M. Barnett & Finnemore, 2004: 7, 33). Information obtained by IOs are interpreted and analyzed, given meaning and transformed into knowledge and are the grounds from where they orient and prompt action (M. Barnett & Finnemore, 2004: 6- 7). IOs are powerful in the sense that they use their authority to create social reality and promote action. They have the power to point out a problem and suggest solutions to the problem. Knowledge and authority are used to constitute the world, create new social activities, interests and actors. IOs can influence states to alter and change their decisions (M. Barnett & Finnemore, 2004: 6, 7; M. Finnemore & Sikkink, 1998). For instance UNHCR attempts to influence states to protect the rights of refugees according to constructivist theory. Further in the next section refugees in the contemporary international state system will be examined.

2.3 Refugees and refugee regime

Most states acknowledge that refugees need protection, however the perception of who a refugee is are numerous (Weiner, 1996: 185). In the media refugees are referred to as everyone in the world fleeing their country of origin because of war, violence and instability.

The Refugee Convention from 1951 defines refugees in legal terms and according to the definition, a refugee is someone who:

... owing to wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (UNHCR, 2010)

The original Convention was restricted to events occurring before 1951 and within Europe, however the limitations were removed by the 1967 Protocol and the Convention now has universal coverage (UNHCR, 2010: 2). Most refugees are coming to the West as asylum seekers. If they fulfill the refugee definition by the Refugee Convention or are protected by “non- refoulement” they gain refugee status in Norway (Øyen, 2013c).

The refugee regime protects refugees when refugees leave the home country (Haddad, 2008). Liisa Makki (1995: 506) argues “the refuge regime produces the social, political and legal constructions that we now recognize as refugeness”. Betts and Loescher (2011: 8) and Haddad (2008) claim that the refugee regime was established because of a dual concern. The main concern was to restore security and stability in Europe, and the solution was to reintegrate refugees in a host state. Humanitarian security is not the main concern for refugee protection; it is state, national and international security according to Haddad (2010:1). The secondary concern was justice and promotion of human rights. After the World War II human suffering was indisputable and the refugee regime was established to promote values of human rights (Betts & Loescher, 2011: 8; Haddad, 2008). However according to the refugee definition the refugee is someone outside the country of origin. This shows limitations to the definition and the international community and sovereign states opposed further responsibility for internally displaced persons (IDPs) (L. Barnett, 2001: 247).

2.4 Sovereign states and refugees

The world system is constructed with sovereign states (Weiner, 1995: 9). Refugees are both insiders and outsiders of the states and between the national and the international. They are

found in the gap of the systems and are between rather than within sovereign borders (Haddad 2008: 8). Borders and sovereignty are exclusive to foreigners because states separate between insiders and outsiders. Haddad (2008) argues refugees exist as a consequence of the contemporary state system, and as long as borders exist there will always be refugees. Additionally refugees reinforce the social construction of state sovereignty over time (Betts & Loescher, 2011: 15; Haddad, 2008). Refugees legitimize the states' sovereignty, because with refugees the notion of insider and outsider is clear (Haddad, 2008; 113- 27). On the one hand refugees represent a failure of the state system, but on the other hand the insider-outsider relationship reinforces the social construction of national states (Betts & Loescher, 2011: 15; Haddad, 2008).

Refugees are found outside the protection of a state and need safety, livelihoods, and the chance to reintegrate in their country of origin or another host country to restore access to human rights. Refugees can be neutralized and integrated, repatriate or resettled (Betts & Loescher, 2011: 1, 18; Haddad, 2008: 60). States may offer financial aid to refugees where they are, through aid to humanitarian organizations, as UNHCR. In 2014, Norway was the ninth biggest contributor with financial aid to UNHCR (UNHCR, 2015). Gibney (1999: 179) argues that humanitarianism is important for states with ambitions to avoid many asylum seekers coming to their borders. Most states prefer to give financial aid to humanitarian organizations or repatriation, rather than to integrate refugees in their own state (Betts & Loescher, 2011: 18).

Moreover states are obligated to grant asylum to asylum seekers fulfilling the refugee definition in the Refugee Convention. Chalk (1998: 155) suggests that states recognize the problem of refugees; however unwillingness to accept refugees into the West is apparent. Most states prefer refugees to return to their home country. Loescher (2001: 45) suggests problems associated with refugees are increasingly evident when refugees have a different racial and cultural background. This is recognized in the manifesto to the Progress Party where it is stated that the number of people coming to Norway from outside the western culture should decrease (Progress Party, 2013a: 39). Moreover UNHCR (2012) suggests that wealthier countries often geographically far from humanitarian conflicts establish measures to restrict arrival of refugees and asylum seekers. Because states are unwilling or unable to protect refugees, the refugee picture will not be positive in the years ahead according to Loescher (2001: 53).

Some wish to help refugees coming to our borders while others prefer people stay in their country of origin. Refugees are by some seen with compassion and as victims of the situation. They believe refugees deserve help and charity (Soguk, 1999: 28). The desire to assist refugees is found amongst political parties in Norway, including the Conservative Party and the Progress Party according to the manifestoes. Although we are aware of the suffering and plight of others and feel obligated to assist, the otherness felt about refugees transform into hostility (Parker & Brassett, 2005: 239). Some people are afraid that refugees and foreigners take advantage of the state and beneficial policies and would desire a homogenous society (Weiner, 1996: 173). A desire of a homogenous society is evident in the policy to the Progress Party. They argue “continued immigration of asylum seekers, of only approximately the magnitude in recent years, will lead to serious oppositions between ethnic groups in Norway.” (Progress Party, 2013a: 38 own translation). Among the Norwegian population a clash of interests are apparent. Brown (2011: 166) argues that instead of accusing others of racism and xenophobia and shaming them into abandoning their positions, we should try to directly address the fear towards refugees and foreigners found in the society. We should encounter those fears without suppressing the interests of newcomers and refugees. In a liberal democracy clashes and dilemmas are resolved through bargaining and compromise according to Brown (2011: 166). Similarly dilemmas of cosmopolitanism and communitarianism are resolved through bargaining and compromise among the population and further through politicians. This is examined below, however first the methodology of the dissertation will be discussed.

3.0 Methodology

In social science, what is acceptable knowledge and how the world should be studied are discussed by epistemology and ontology (Bryman, 2008: 13). Ontology refers to how the world is established. Different approaches exist within ontology, although the main oppositions include objectivism and constructionism (constructivism). Objectivism implies social phenomena are external facts and the world is considered external to social actors. For instance an organization consists of a reality external to people that inhabit it (Bryman, 2008: 18). Constructionism argues that social phenomena and meanings are constantly and continually being constructed by social actors. Similarly knowledge is in constant construction (Bryman, 2008: 19).

In epistemology, positivism and interpretivism are two approaches in opposition. Positivism argues that only tested knowledge by the senses are true knowledge. Positivists prefer producing hypothesis and test them and assess laws according to the findings. Science is required to be conducted value free (Bryman, 2008: 13). In contrary interpretivism implies that subjects matter in social science. People and objects are different than in natural science. Social actions contain subjective meaning and this must be grasped by social scientists (Bryman, 2008: 15- 16).

Moreover ontology and epistemology and how to know, and how to obtain knowledge about the social world is discussed within IR. Social science and IR offer different explanations on methodology, however similarities are also evident (Bryman, 2008: 4; Wendt, 1998: 115). In epistemology the two oppositions are namely positivism and post- positivism. Similar to positivism in social science, positivism in IR prefers to study social life by research methods that are successful in natural science. In contrast post- positivist, similar as interpretivism in social science, believes research methods used in natural science are undesirable when studying the social world. Post- positivism implies that privileged access to the truth cannot be accessible (Wendt, 1998: 101). In other words the debate is between rationalists and interpretive approaches, and between explaining and understanding (Adler, 1997; Wendt, 2000). Positivism is related to rationalists, realism and liberalism. Post- positivism is related to poststructuralist, postmodernism and feminism. Several scholars suggest constructivism may offer a middle way or “via media” between the two approaches. Constructivism seeks to understand and to explain the social world (Adler, 1997; Wendt, 2000). Accordingly in this research constructivism is used to understand and explain the asylum and refugee policy and might also be found between the two approaches. However several constructivists’ scholars

focus only on understanding the social world and do not offer explanations or “truth claims”. Accordingly constructivism appear as closer to post- positivists (Jackson & Sørensen, 2013: 215). Moreover as argued by Bryman (2008) and Wendt (1998), to make an absolute opposition between the two approaches of methodology may be problematic.

When making an opposition between the two approaches it appears problematic to find the preferred approaches to the research, especially within IR methodology. However basically the purpose of the dissertation is not to confirm a hypothesis and test the validity as preferred by positivists. Neither is to study a world that exist exogenously human actions and therefore positivism and objectivism is not the preferred approaches. Consequently in social science constructionism and interpretivism, and in IR post- positivists are more comparable to the objective of the research and the thesis will be discussed more similar to these approaches. The objective is to understand dilemmas and formulation of policy, thus these approaches are employed. Additionally constructionism, interpretivism and post- positivism are similar to the two theories discussed, and qualitative methods applied in the research.

3.1 Qualitative methods

From methodology interpretivism and constructionism are associated with qualitative research and positivism and objectivism with quantitative research (Bryman, 2008: 22). As in methodology, the differences between qualitative and quantitative methods should not be overemphasized according to Holliday (2007: 2) and Silverman (2013a: 14). A mixed- methods including both approaches are preferred by several scholars in social science. In addition qualitative methods are not a unified field (Guest, Namey, & Mitchell, 2013: 1), however the methods will be examined based on the scholarly articles applied. Consequently one may also assume quantitative methods are not a unified field, although basically quantitative methods focus on distribution of subjects, measures and counts. Several previous studies have conducted a quantitative approach on immigration policy, and offered rich insight on the issue (for instance Gudbrandsen, 2010; Simonnes, 2013; Statham & Geddes, 2006). However, by using counts and measures, policies towards refugees cannot be described in a manner preferred in this research. This research aims at explaining the meanings and patterns of the refugee and asylum policy (Berg & Lune, 2013: 3).

Qualitative research focuses on meanings and patterns that can explain things according to Berg and Lune (2013: 3, 19). Meanings, definitions, concepts, definitions, symbols,

description of things, characteristics and metaphors are important (Berg & Lune, 2013: 19). Similarly to uncover meanings and explain influence from international obligations and national politics are explored based on qualitative research. Moreover qualitative research should be applied when studying behavior, attitudes, opinions and values according to Guest et al. (2013: 26). Behavior, attitudes, opinions and values among politicians, political parties in government and the government will be examined; hence a qualitative approach is preferable. Additionally a qualitative approach is more similar to the theories chosen for this research. Normative theory and constructivist theory focus on underlying meanings and patterns and to study behavior of states. Accordingly the theories are in line with a qualitative approach. Finally, I prefer to focus on meanings, interpretations, behaviors and attitudes, and believe this is more interesting than to research measures and counts.

3.2 Source of Data

Data are what a researcher sees and hears, and are recorded or collected. The data used are the “corpus of data” according to Holliday (2007: 89). Data were obtained through interviews. Berg and Lune (2013: 105, 115) argue that an interview is a conversation with a purpose and specific types of data can be accessed through interviews. Moreover, data were obtained from documents through document analysis, from reports, manifestoes, newspapers and websites. Data were obtained from UNHCR, political parties’ websites, newspapers, and websites to organizations, UDI and the government. The literature was mainly found online. About 20 books and 65 scholarly articles were read and several of these books and articles are included in this paper.

3.3 Interviews

Several researchers recognize the advantages by interviews as a source of data (Berg & Lune, 2013: 115; Silverman, 2013b). Interviews provide first- hand testimony from informants and provide access to knowledge one would otherwise not have gained accessed to (Berg & Lune, 2013: 115; Tansey, 2007: 767). In this research politicians and an employee from NOAS were asked to participate. The interviews were conducted with Karsten Karlsøen, a political advisor for the Conservative Party. From the Progress Party, Glenn Simon Nerdal a political advisor was interviewed. In addition, an interview was conducted with Mari Seilskjær from Norwegian Organization for Asylum Seekers (NOAS). The interviews were semi- structured.

I met face- to- face with Nerdal and Seilskjær. Karlsøen received interviews on email and we had a phone conversation.

Furthermore Tansey (2007) explains how to conduct interviews with political elites and can therefore be insightful for the interviews. Although the informants may not be part of the “elite”, they are part of politics. Tansey (2007: 766) argues that political elite interviews are rarely isolated. Information is often already located from other sources, and the purpose is to confirm information and cross- check information with other data (Tansey, 2007: 766). Similarly, I had previously examined manifestoes, newspapers and party websites and politicians could confirm or contradict this data and add more information. Interviews can provide information that will enrich the research according to Davies (2001 in Tansey, 2007: 766). The data collected were advanced by using the interviews and in the interviews I had the chance to obtain more knowledge than found on the internet about NOAS and the parties. Manifestoes and the internet can contain vague and little information about the party policy; therefore the interviews were conducted in order to gather more information. Negative aspects when conducting political elite interviews are also recognized and this may question the reliability of the data. For instance politicians can misrepresent own positions or minimize their own role in events (Tansey, 2007: 767). Also access to politicians can be challenging.

Access, availability and entry of informants are central and must be possible in order to conduct the research (Berg & Lune, 2013: 47). I was questioning whether it was possible to interview politicians for this research because of their busy schedules, however access was obtained to the Conservative Party and the Progress Party. Because of the immigration agreements, it might have been interesting to also interview politicians from the Christians Democrats and the Liberal Party. Insight into the different parties and cooperation between them could have strengthened the dissertation. Nevertheless Berg and Lune (2013: 47) and Tansey (2007: 769) suggest that a sampling depend on time and budget available. Because of the time available only two politicians were asked to participate. Because the policy of the parties in the government is the main focus, the politicians from the Progress Party and the Conservative Party were prioritized.

Sampling approach

The objective of sampling is to collect data from a smaller part of the population and make inference about the larger population. This is called random sampling and is preferred by quantitative methods. In this research the objective was not to make inference about the larger population based on random sampling (Berg & Lune, 2013: 50). However Tansey (2007: 766) suggests that when interviewing a few member of a group, inferences can be made about a wider group. Similarly, the objective of this research was to make inference about NOAS and the political parties and their policy towards refugees and asylum seekers. Therefore informants with knowledge about the issue were preferred for this research sample.

The sampling approach was purposive sampling within non- probability sampling. In purposive sampling the researcher use knowledge and expertise to select subjects from groups representing the population studied (Berg & Lune, 2013: 52). In this research the purpose was to interview politicians or employees for the parties with special knowledge about the issue at hand. The political parties were contacted by email and I asked for politicians relevant for the research. Seilskjær was interviewed because of her knowledge within the field. She has published articles about refugee and asylum policy for NOAS. NOAS provides asylum seekers with information, aid and legal aid. The organization has much experience within the field and has obtained heavy academic weight (Øyen, 2013c: 29).

Furthermore, to identify the key political actors is the most appropriate sample procedure according to Tansey (2007: 765). Key political actors were not interviewed in this research, but two political advisors. This led to some difficulties while conducting the interviews. The main purpose for interviewing the politicians was to gain more information about the party policy than found on the internet and in the manifestoes, especially more information about the policy to the Conservative Party was preferred. The official party policy is written in the manifestoes, and in some situations the advisors were hesitant to provide more information than already written in the manifestoes. By interviewing top politicians in the party this might have been avoided. Top politicians represent the party and express opinions in newspaper although it is not written in manifestoes Moreover the politicians stated during the interviews that some statements were their personal opinions and did not represent the party. Personal

opinions by the politicians are referred to as such. However few personal opinions from politicians are included.

Conducting the interviews

The intention was to set up the interviews as semi- structured. Most questions were implemented in an interview guide, although in semi- structured interviews one may freely ask questions, not implemented in the interview guide when this is appropriate (Berg & Lune, 2013: 112 - 114). Questions were the same for both politicians. In the interview with Nerdal, some additional questions were asked. Karlsøen preferred receiving the questions on email. Email interviews are discussed by several scholars. Bampton and Cowton (2002) recognize advantages of email interviews. The need to agree on a mutual convenient time to conduct the interview is removed, this is positive for busy subjects and busy researchers, is argued. Berg and Lune (2013 134) suggest email interviews are common, and are a comfortable way of conducting interviews. However, the loss of visual contact and the conversation flow between the researcher and the subject can be negative. One cannot spontaneously ask about interesting topics and add more questions as in an face- to- face interview (Berg & Lune, 2013: 134). Karlsøen answered the questions prepared in the email and in addition we had a conversation on the phone.

A phone interview can be preferable in certain situations. Data can be gathered effectively and be more viable. The primary reason for a telephone interview is typically to get access to populations in geographically diverse locations according to Berg and Lune (2013: 129). Similar as in email interviews, the need to find a time and meet face- to- face is removed (Bampton & Cowton, 2002). A telephone interview can be more comfortable because of the possibility to stay at home during the interview. It is less time consuming than face- to face interviews, because one does not need to meet. However, we agreed upon a time to talk on the phone. Berg and Lune (2013: 129) argue telephone interviews are not a major way of collecting data. The face- to- face nonverbal cues used to direct the interview is missing. I preferred the face- to- face interview in comparison with email interview and telephone interview. The face- to face interviews was conducted more freely than the phone conversation.

According to Berg and Lune (2013: 118) questions asked should depend on the background of the informants. Accordingly, Seilskjær was not asked similar questions as the politicians, because of her background from an NGO. This interview was also semi- structured, and some additional questions were asked during the interview. Moreover the face- to- face interviews with Seilskjær and Nerdal was recorder with a tape recorder. I asked for permission to use the tape recorder which was accepted by both informants. The phone conversation with Karlsøen was not recoded on a tape recorder. I tried to write down his statements, however this was a challenge. Therefore his statements were not included because of the possibility to misinterpret them in the dissertation. Silverman (2013a: 208) suggests the interviews should always be recorded. However he argues that transcribing the interviews may be time consuming. I believe the positive aspects of recording the interviews outweigh the negative aspects of transcribing.

Transcribing can be poorly done according to Silverman (2013a: 209). He argues that necessary details are sometimes excluded from the research. For instance, researchers can provoke a particular answer and neglect important details (Rapley, 2004 in Silverman, 2013a: 209). Problems with transcribing were recognized when translating sentences to English. Translating the interviews were a challenge, especially to translate statements understandably in English as well as reproducing the content of the sentence. The sentences were often not translated directly, in order for it to be understandable. Similar challenges were experienced with translating Norwegian texts from document.

3.4 Document analysis

In document analysis documents are the sources of evidence. The documents are collected and analyzed (Rapley & Jenkins, 2010: 380). Researchers seek to uncover patterns of human activity, meanings and actions (Berg & Lune, 2013: 337). Documents were primary found on the internet. Scholarly articles and books were obtained through Google scholars and Oria at UIO. Party policy is mainly found in the manifestoes.

Manifestoes

Several scholars focus on manifestoes when researching party politics. The Conservative Party and the Progress Party manifestoes for 2013 to 2017 have been examined. The political parties in Norway publish manifestoes before elections. The manifestoes describe the objectives for the parties if they gain political power. Values, objectives and perceptions on different topics originates from the manifestoes (Heidar & Saglie, 2002: 109; Narud & Valen, 2007: 138). The manifestoes contain the foundation of the party policy and usually statements from politicians in the public originate from the manifestos. Officially, the purpose of the manifestoes is to enlighten people of the party policies on different issues (Narud & Valen, 2004: 33- 34).

To apply the manifestoes as a source can be positive because they contain the official policy for the party (Narud & Valen, 2004: 33- 34). However, also negative aspect by using manifestoes can be identified. Manifestoes can be vague, general and some issues are briefly explained (Gudbrandsen, 2010: 249). Thus, to get a clear indication of party policy on all issues may be problematic. For instance the manifesto of the Conservative Party explains briefly the objectives for asylum seekers and refugees issues. The party policy concerning refugees and asylum seekers are challenging to comprehend based on the manifesto. Moreover Budge and Bara (2001: 59) suggest the true policy of the parties compose of many dimensions. Manifestos are not the only significant source of a political policy. The Parties websites also contain information about policy. Articles and statements from politicians within the party are published and were found on <http://www.hoyre.no/> and <https://www.frp.no/>. More statements were found in online newspapers.

Newspapers

Online newspapers were found in the media archive Atekst, run by Retriever (<http://www.retriever-info.com/en/>). Articles from “VG”, “Dagbladet” and “Aftenposten”, which are among the largest newspapers in Norway, were searched among. Newspaper articles from 2013 until today were viewed. About 30 articles were found and read, however only a limited number have been used in the dissertation.

Reports from international organizations and non- governmental organizations

International conventions and regulations were obtained in Fauchald and Tuseth (2012) in “Global and regional treaties” as well as on the internet. Several articles and reports from UNHCR were used in this research. They were found on www.unhcr.org. Because of the central position obtained by the organization in assisting refugees, these documents are highly relevant for the research. Articles by NOAS were found on their website www.noas.org. Moreover ethical consideration follows when using articles and other research in social science.

3.5 Ethical Considerations

In qualitative research the attention is largely on social world and therefore ethical problems may arise (Silverman, 2013a: 157). Berg and Lune (2013) suggest that social scientists have an ethical obligation to the larger society, the population studied and our colleagues. The foundation is “do no harm” (Berg & Lune, 2013: 61). This is important in document analysis and especially when conducting interviews. In interviews voluntary participation by subjects are essential according to Berg and Lune (2013: 80) and Silverman (2013a). Subjects decide whether they want to participate and can withdraw from the research without being exposed to negative consequences (Dalland, 2012: 105). In this research all subjects voluntary participated in the interviews. They were all asked to participate and had the chance to refuse.

Moreover, informants participating in studies are customarily offered insurance of confidentiality and anonymity (Berg & Lune, 2013: 90). However in this research the objective was to acquire more information about parties’ opinion and policy. By not referring to names the validity of the statement may be questioned. Before conducting the interview subjects were asked for consent to use their names in the research. This was approved by all informants. Moreover the data attained through the interviews are required to be used in a manner consistent with the views and statements of the informants. When names are included the necessity is more essential. I am confident that this is accomplished in the dissertation.

3.6 Conclusion and limitations

The two parties in the government should have equally been discussed in this dissertation. However, this has not been accomplished and can be considered a weakness. This limits the potential to explain both policies and the differences and similarities between them. The

explanation for this is that less data were accessible from the interview and manifesto to the Conservative Party, compared to the Progress Party. The interview with the Progress Party was face- to- face more freely with more extended answers, and was longer than the phone conversation with the Conservative Party. The phone conversation was not recorded which also made it difficult to remember exactly the meaning of the statements by only looking at the notes. Additionally, politicians from the Conservative Party are not as often visible in media discussions concerning refugees and asylum seekers, as politicians from the Progress Party. It may appear as the Conservative Party wants to avoid public debates and prefer the Progress Party to speak on behalf of the government on the issues. Refugees and immigration have been central for the Progress Party since 1987 and are still highly important (Brochmann & Hagelund, 2010: 244). Their policies are often discussed in media, and are perceived as more extreme than other parties which makes it easier to discuss (Simonnes, 2013). Therefore more attention has been offered the policy to the Progress Party because of its visible and central role in government and in public debates concerning refugees and asylum seekers, compared to the Conservative party and other political parties in Norway.

Qualitative research seeks to objectively study reality (Silverman, 2013a: 6). However scholars have recognized challenges related to this. Holliday (2007: 92) argues that the data collected are different from social reality and the data are not raw or true representations (Holliday, 2007: 92). No data are entirely natural according to Silverman. Silverman calls it “manufactured data”. Data are manufactured because reality never speaks of itself, it is interpreted (Silverman, 2013b: 32). This offer challenges while conducting the research. This research cannot present entirely true data. However to interpret and present data as true as possible will be strived for, especially when interpreting the information from the interviews.

Moreover, drawing from constructivism, opinions are constructed. I, as a researcher, have own opinions of the parties policy prior to conducting the research. Accordingly this can affect how I see the research and the policy discussed. However this must be ignored and an objective discussion is important for the strength of the paper. Similarly as opinions are constructed, so are the refugee and asylum policy in Norway.

4.0 Social Construction of Norwegian refugee- and asylum policy: role of party policies

The research questions seek to explore the formulation of refugee and asylum policy based on the factors influencing the government on the international and national level. Accordingly, this chapter seeks to explore the individual political parties' role in constructing the current refugee and asylum policy. The individual party policies of the Conservative Party and the Progress Party will be explored in the next section.

Furthermore, Haddad (2008: 215) argues the refugee field is in continuous construction. Consequently, the immigration, asylum and refugee policy in Norway is socially constructed and in continuous construction. Immigration to Norwegian borders includes labor migration, family reunification and asylum related immigration. The term "asylum related immigration" is acquired from Gudbrandsen (2012: 13). The term includes asylum seekers granted asylum based on the Refugee Convention and the non-refoulement principle, asylum seekers granted protection based on humanitarian grounds and transfer refugees from UNHCR. In Norway, the majority of immigrants derives from family reunification (Gudbrandsen, 2010). However, essential for this dissertation is asylum related immigration. The individual political parties and the arrangement of the parties' policies are discussed below.

4.1 Party policy

Parties are multi-goal organizations according to Schmidt (1996: 156). Political parties seek power, they desire to win elections and get through their policy (Simonsen, 2013: 146). The Conservative government won the election in 2013. The Progress Party is included in the government for the first time. In contrast, the Conservative Party has collaborated in governments several times. Moreover, through four criteria, the individual party policy will be examined. Boswell (2007) implies four criteria are decisive in order to understand the liberal constraints of the state in migration policy. The criteria are: security, accumulation of wealth, fairness and institutional legitimacy. Although Boswell employs the criteria to address state policy, these criteria will be explored based on the individual policy of the Conservative Party and the Progress Party, and seek to offer an improved understanding of the individual policy. States will try to fulfill what they comprehend as public expectations on these criteria (Boswell, 2007: 89).

First, states should provide international and national security for citizens (Boswell, 2007: 89). In Europe migration has become “securitized” (Huysmans, 2000: 752). States wish to control national borders and entry of foreigners. Irregular migrants have been perceived as a problem and associated with criminality (Boswell, 2007: 89). Countries are more skeptical towards refugee claims because of real and perceived abuses of the asylum institution (Jastram, Achiron, & UNHCR, 2001: 6). Similarly the Progress Party and the Conservative Party recognize the necessity of controlling migration. In the manifestoes both want to be strict in granting asylum and imply that abuses of the asylum institute must be prevented (Conservative party, 2013: 80; Progress Party, 2013a: 39). Moreover both manifestoes contain restrictions and negative statements about refugees and asylum seekers, this support the arguments that they can be viewed as problem and a threat.

Several scholars address the issue of refugees as a threat to national and international security. Wendt (1992: 405) argues that “social threats are constructed, not natural”. Similar Haddad (2008: 15) argues that refugees as a threat is constructed. To view refugees as a threat is not inevitable or natural, they are seen as threats because of social processes (Haddad, 2008: 15). Among some politicians in Norway refugees are understood as a threat and a connection between criminality and asylum seekers is assumed. According to Seilskjær (2013: 10) the Progress Party assumes similarities between asylum seekers and criminals with no foundation in facts. For instance, Siv Jensen the party leader said in 2009 “what people out in the streets of Oslo see is an increasing flood of criminal asylum seekers who sell drugs and are raping girls for no reason” (Seilskjær, 2013: 10 own translation). In addition, the Progress Party implies that enclosed¹ reception centers will decrease immigration to Norway. Criminals will not come to Norway when they have to live in enclosed reception centers when the application is being processed, it is argued (Progress Party, n. d.-b). Moreover the Conservative Party argues for preventive attention centers for criminal asylum seekers (Conservative party, 2013: 80). Despite the connection between asylum seekers and criminality assumed by several politicians, a report by Mohn, Ellingsen, Solheim, and Torgersen (2014), suggested asylum seekers are responsible for a low percentage of criminality in Norway. Echoing Wendt, if people stopped perceiving refugees as a security problem and a threat, the threat would cease to exist (Wendt, 1992).

¹ Lukkede asylmottak in Norwegian.

Furthermore, the second responsibility is to provide the adequate conditions for accumulation of wealth and businesses in the country (Boswell, 2007: 89). States are obligated to produce adequate conditions for migrants to contribute to society. For example in post war Europe migrants was perceived as crucial for national reconstruction, although the positive effect is often unknown among the population (Boswell, 2007: 90). The Conservative Party is dedicated to make immigrants contribute in the society, and on the website the party advocates for doing more for immigrants in attaining a job in Norway (Conservative Party, 2014a). To attain jobs are important for the welfare state as argued by Brochmann and Hagelund (2012).

The welfare state can also be included under accumulation of wealth. When discussing immigration and asylum related immigration, some political parties refer to the sustainability of the welfare state (Brochmann & Hagelund, 2010: 240). As mentioned above Brochmann and Hagelund (2012) argue that immigration can challenge the welfare state. This is recognized by the Progress Party. The party is alarmed about the future of the welfare state because of the costs from immigration and asylum seekers. Per Sandberg argues for the importance of creating a more future directed immigration and asylum policy. “SSB and Finansavisen have shown that the cost of the current immigration rate amounts to between 40 to 50 billion kroner each year. It is economically irresponsible to continue the current policy” is maintained by Sandberg (Progress Party, n. d.-a own translation). He believes it is curious that other parties do not recognize the economic challenges Norway will face in the future as a consequence of immigration (Progress Party, n. d.-a). Unlike the Progress Party, the Conservative Party does not imply Norway will experience economic difficulties in the future because of asylum seekers.

The third criterion is the loose term fairness or redistribution. States obtain the responsibility to provide just patterns of distribution among the population. This was previously recognized as protecting the privilege rights of nationals within the countries similarly to communitarianism. Additionally this can be provided to outsider to some extent (Boswell, 2007: 90). For instance fairness can be achieved through inclusion of minority groups on the basis of justice and equal rights (Boswell, 2007: 90- 91). In both the Conservative Party and the Progress Party manifestoes there are implied that refugees and people in need, should be protected from prosecution (Conservative party, 2013; Progress Party, 2013a). This is based on international cosmopolitan refugee rights. However they acknowledge other sources of fairness and equality. The Conservative Party argues for a strict and fair asylum institute

(Conservative party, 2013: 80). In other words this anticipates asylum seekers will be treated equally. The Progress Party argues that no one should receive special treatment. Equal treatment is the main principle of immigration policy (Progress Party, 2013a: 38).

The fourth precondition is institutional legitimacy or rule of law, referring to the public confidence to the state practices. One can examine if the government is acting according to practices of a democratic and liberal state (Boswell, 2007: 91). This limits the governments control on the asylum and refugee policy and for instance the policy cannot be restricted as much as some governments' may desire. The government is required not to contravene its role and its functions; it cannot violate civil liberties or incursion of judicial powers (Boswell, 2007: 91). This is a dilemma in the "Mulla Krekar" case. Because of international obligations, national laws and civil rights the Norwegian government is prevented to deport Mulla Krekar. In short, understanding the criteria and the tension between them "is key to explain immigration policies" according to Boswell (2007: 89). States risk losing legitimacy if they do not fulfill the four criteria (Boswell, 2007: 96). In this section the focus is mainly on the individual parties and what the parties wish to do in government. To get through political goals influence on public policy from the parties is essential. This and national influence will be discussed in the next section.

5.0 National influence on Norwegian refugee and asylum policy

The research questions seek to explore the national influence on refugee and asylum formulation by the government. National influence refers to social and political factors within the Norwegian state influencing the parties and the government, for instance national parties and civil society engagement. These may also influence the communitarian interests of the state. On the national level influence factors are recognized as followed: parties influence on policy and parties influence on each other, public opinion, media and NGOs. First the importance of party policy will be discussed.

5.1 Parties influence

Influence on public policy by parties is determined based on democracy and institutional constraints of central state government. Also party composition of government matter in influencing public policy according to Schmidt (1996). Several scholars do believe parties influence public policy (Gudbrandsen, 2010; Guiraudon & Lahav, 2000). Here, the question remains whether parties influence the refugee and asylum policy.

Does national communitarian policy determines immigration or is immigration determined by external constrains and cosmopolitan human rights? (Gudbrandsen, 2010) Are the numbers of asylum seekers arriving to Norway based on government policy and signals, or is it determined by factors outside the government control? (Brekke, 2004: 8) Scholars do not agree on these questions and neither do politicians. For instance a Progress Party spokesperson argued he could guarantee a decrease in the numbers of immigrants with the Progress Party in government. In contrast a Christian Democrat spokesperson argued refugees and asylum seekers are based on international conflicts and humanitarian crisis (Blindheim, 2013).

Additionally, among scholars perceptions vary. States construct national policies and the policies must act within a complex and embedded transnational process according to Sassen (2000: 73- 74). States may have less control than desired because of international dynamics (Sassen, 2000: 74). States are not losing significance, but global legal regimes will become more significant in the future (Sassen, 2000). Moreover Brochmann and Hagelund (2010: 40) suggest that asylum related immigration is controlled by international commitments and not by consideration to the interests of the welfare state. This is a paradox because asylum seekers

and refugees require most assistance from the welfare state. However the importance of communitarian national policies is recognized.

As mentioned previously the world is communitarian (Benhabib, 2004; Haddad, 2008). This implies that the communitarian rights of state are important. In a cosmopolitan world, the crucial rights would be cosmopolitan human rights. Weiner (1995: 155) argues that international agreements administrate the benefits and rights states should provide to people admitted into the country. However with a few exceptions, in international conventions and regulations, states can decide the number of entry and who should enter (Weiner, 1995: 155). Guiraudon and Lahav (2000: 164- 165) study Germany, France, and the Netherlands. They imply that states have not lost control over immigration because of international obligations. States have adopted new strategies in immigration policy (Guiraudon & Lahav, 2000). Brochmann and Hagelund (2010: 240) suggest that considerations to welfare interest are evident in asylum policy and how the policy is designed. Norwegian asylum and refugee policy is more in line with ordinary immigration control, in contrary to the 1980s when the policy was based on humanitarian commitments (Brochmann & Hagelund, 2010: 243).

Moreover Statham and Geddes (2006: 266) argue that the political elite in the UK have some degree of “free will” and autonomy when making decisions on immigration issues. Overall Political elites determine “top- down” the immigration policy in relatively autonomous ways. Conservative governments in the UK take a more restrictive stance than Labour Party governments. Similarly Frøy Gudbrandsen (2010: 264) argues that fewer asylum seekers were granted asylum with Conservative governments in Norway. Parties in Norway take distinct positions in refugee related immigration and this reflects the numbers of positive asylum applications. Indeed the effects are not large, but they are evident (Gudbrandsen, 2010: 265). The government has the authority to adjust regulations in the Immigration Act without consulting the legislature. This highlights the central role of the government in the policy-making process (Gudbrandsen, 2012: 20). However all policies are not successful and the policies are not always agreed upon within the parties according to Gudbrandsen (2012: 27). Gudbrandsen (2010: 266) recognizes external factors are important, but so are national parties.

According to the research done by Gudbrandsen (2010; 2012) one would expect asylum seekers granted asylum to be lower with the sitting Conservative government. From 2005 to 2013 Norway was governed by a Labour government, and from 2004 to 2014 the numbers of

asylum seekers have varied. During this period the highest number of people granted asylum was 5800 in 2013. Second highest was in 2010, when 5290 were granted asylum. Third, in 2012 5200, and fourth, 2014 with 4900 people granted asylum. Moreover among people granted asylum and including transfer refugees the highest was in 2013 with 6900 and the second highest in 2014 with 6600 people granted asylum (see UDI, n.d. for numbers). Nevertheless by only looking at the numbers, a decrease as a consequence of the Conservative government does not appear at this time. This is contrary to Gudbrandsen (2010), although she expects deviations among governments. Multiple reasons may explain this. For instance it may be explained as a consequence of the immigration agreements with two more liberal parties, which make it difficult for the Conservative government to get through restrictive policy. It might be because of public opinion and more public sympathy towards asylum seekers and refugees, especially long staying children. Additionally international and external factors may explain this. For instance UDI suggests that the increase in the percentage of people granted asylum from 2013 to 2014 is a consequence of higher numbers of asylum seekers from Syria and Eritrea, where many were granted asylum (UDI, 2015: 16). Most likely there is a combination between these factors. Another factor might be neighboring countries policy.

Among politicians in Norway there is often assumed that asylum seekers travel to countries with the most attractive asylum policy and access to welfare benefits. Accordingly countries with more liberal asylum policies will receive the highest amount of asylum seekers. High numbers of asylum applicants can be a consequence of neighboring countries restrictive policy measures. These perceptions are highly questioned and some research maintain support, while others contradict it (Thielemann, 2003: 8- 9). For instance in 2007 Sweden had a strict policy towards Iraqi refugees. Consequently an increasing number of refugees from Iraq applied asylum in Norway and Sweden was made less attractive (Brekke & Aarset, 2009: 42). Thielemann (2003) implies policy measures often exaggerate the choice, and information available and known by asylum seekers. If asylum seekers have the opportunity to choose, this is based on real or perceived difference among the states. Asylum seekers choose on the basis of the opportunity of employment and perceived “liberalness” of the state and “structural” factors. Ties with family and friends in a country are an important factor despite a more restricted asylum policy (Thielemann, 2003: 32). Despite this, signals of restrictions are believed to be important among several politicians.

Signals of restrictions were adopted in Norway in 2003 after high numbers of asylum seekers in 2002. A decrease in the number of asylum seekers followed the restriction, however all of Europe experienced around 20 % decrease of asylum seekers in 2003 (Brekke, 2004: 7). Arrival of asylum seekers from Somalia drastically increased in 2002, which could not be explained from the situation in Somalia. In 2003 Erna Solberg sent a strong signal that the applications for asylum seekers from Somalis were suspended until further notice. Asylum seekers from the country immediately decreased after the announcement (Brekke, 2004: 35). The same measure was adapted to asylum seekers from Chechnya. The result was not the same immediate decrease as in the case of Somalia (Brekke, 2004: 39). Brekke suggests that the effects from policy are uncertain, and authorities in charge of the reforms had different opinions on the effect of the policies (Brekke, 2004: 43- 44). Brekke (2004: 45) believes “the combination of measures, timing and groups of asylum seekers will play out differently every time”. Signals are important according to the study, however signals that may appear unattractive to some, may be attractive to others (Brekke, 2004).

The Progress Party political advisor, Glenn Simon Nerdal maintains that signals are important. He argued that Norway has experienced a decrease of asylum seekers with about 4 %, while the whole of EU has experienced an increase between 40 and 50 %. “It is no coincidence that it comes eight times as many refugees to Sweden as to Norway” is states by Nerdal. He argues that “This shows that the Progress Party’s signals about restrictions have worked”. According to UDI (2015) statistics, Norway received 4 % less refugees in 2014, compared to 2013. From 2004 to 2012 granting refugee status in percentage has varied from 40 % to 58 %. 67% was granted asylum in 2014, compared to 65 % in 2013 (see UDI, n.d. for statistics and numbers). 2013 and 2014 had the highest percentage of asylum seekers granted asylum in the last ten years. This may support the belief that signals of restriction will decrease the number of asylum seekers who are not refugees according to international obligations. However it is evident from the examples that signals of restrictions will have various effects in different situations. Multiple factors are important for asylum seekers when choosing a country to seek asylum in, and a combination of different factors appear as important. Accordingly national policy is not alone decisive for arrival of asylum seekers in all situations. Moreover the parties cooperating in the immigration agreement have different perceptions of the asylum and refugee policy and may send mixed signals. The parties may also influence each other on the issues.

5.1.1 Parties influence on each other

Social constructivism suggests that actors identities and interests are a result of interactions (Wendt, 1992). Through interactions different factors influence the party policies and the government policies. Accordingly one may suggest that political party identity is a result of interactions, and the parties can influence each other in a number of ways. For instance, right wing parties have an impact on immigration policy only by its presence. Consequently right wing parties change the liberal parties stance in the fear of losing votes according to Gudbrandsen (2012: 31- 32).

Norwegian parties distanced themselves from the Progress Party in contrary to the trend in Denmark according to Gudbrandsen (2012: 32). Stanghelle (2013) argues that the parties first distanced themselves from the Progress Party, however he argues like Kamilla Simmons that parties in recent years have become more comparable to the Progress Party. Simmons suggests that the Conservative Party and Labour Party have lost votes to the Progress Party and have as a consequence moved towards the party to regain these votes (Simmones, 2013). Additionally Nerdal was asked if the Progress Party is affected by other political parties. He responded as follows:

“I would rather say that the other parties are affected by the Progress Party. We have been in the forefront with new policies for 30 years and we have always seen the other political parties coming after us, step by step. And we are still in front and I think the other parties will continue to follow us in this field”.

Simmones (2013: 149) suggests that the Conservative Party and the Labour Party have obtained a stricter immigration policy. However the Progress Party is clearly more extreme than the other parties and has different grounds for restrictions she argues.

Although the Progress Party is perceived as more extreme, the party is in a minority government with the Conservative Party. This is clearly different from when the parties distanced themselves from the Progress Party. The Liberal Party, the Christian Democrats, the Progress Party and the Conservative Party negotiated an immigration agreement. The distance between the parties therefore appears smaller. However media have reported of multiple tensions between the parties.

5.1.2 Immigration agreement

When in government, parties must compromise and build bridges on issues of disagreement (Narud & Valen, 2007: 138). The Conservative Party and the Progress Party cooperate with the Liberal Party and the Christian Democrats in the immigration field and signed an immigration agreement in March 2014 and a supplementary agreement in April 2015. In cooperation the most dominant parties are expected to have most control (Gudbrandsen, 2010: 257). However this is not always true according to Gudbrandsen (2010: 257). She argues smaller parties can also influence the cooperation. The parties can for instance block decisions by threatening to leave the government and pressure the government in other ways (Gudbrandsen, 2010: 257). The importance of the smaller parties, the Christian Democrats and the Liberal party, is also evident in the agreement between the four parties.

The parties involved in the agreements have different opinions on implementation of immigration policy. One may question how the four parties can make an agreement all agree upon. The Conservative Party and the Progress Party focus on restrictions in the manifestoes. Especially the Progress Party has on multiple occasions argued for restrictions on the immigrants and asylum field. The Liberal Party and the Christian Democrats have a more liberal refugee and asylum policy according to the manifestoes (Christian democratic party, 2013; Liberal Party, 2013). Tensions between the liberal parties and the Progress Party have been apparent from articles published by several newspapers. For instance Geir Bekkevold, from the Christian Democrats, argues that the differences between the Christian Democrats and the Progress Party are great. He is skeptical to cooperate with the Progress Party (Konstad & Ørvik, 2013).

The agreements between the parties contain both liberalizations and restrictions. The best interest of the child was put more emphasis upon. Liberalizations concerning long- staying children have received a great amount of media attention. According to the first agreement children and their families can be granted amnesty if they fulfill certain criterions. Also new criterions concerning long- staying children were adopted in December 2014 and in April 2015. Long- staying children refer to children coming to Norway with their families as asylum seekers. The asylum application was rejected by Norwegian authorities, but the families did not return home and the authorities did not deport them by force. They have remained in Norway in more than three years and many children go to school or kinder garden, acquire Norwegian skills and are integrated in the community. These families offer dilemmas for the Norwegian state about whether to put more weight on the best interest of the

child, which is often to stay in Norway, or immigration control and forcibly return the families (Øyen, 2013c). For instance Nerdal suggests it is more humane to return families right after a negative decision and in this way avoid the dilemmas of long- staying children.

The first agreement contains restrictions as faster return of asylum seekers with denied asylum applications and restrictions in family reunification. When Nerdal was asked how the Progress Party policies were visible, he replied “through a series of seemingly minor amendments which have very great importance in practice”. Despite variations between the parties all appear satisfied with the agreement. The Conservative Party, the Liberal Party and the Christian Democrats are all satisfied with the modifications from December 2014 that contained liberalizations for the long staying children. Ingjerd Schou, a spokesperson for the Conservatives Party, states that

“I am very pleased that we have reached an agreement which means that the children who have been long in Norway receive a separate assessment of residence permits in Norway” (Ihle Steinstad, 2014: own translation).

Also Glenn Simon Nerdal, from the Progress Party, suggests it is a good agreement that balances considerations.

In sum, the agreements illustrate that the Conservative Party and the Progress Party cannot obtain acceptance for their policies alone, as a consequence of being in a minority government. Parties cooperating in the immigration agreements are required to make compromises to produce agreements all accept. Differences between the policies in party manifesto compared to the policies in the agreements are evident. The manifesto contains policies the parties desire to implement, however in the agreement policies change and the results are different than desired in the manifestoes. For instance the Progress Party accepts liberalizations concerning long- staying children and the more liberal parties accept restrictions they may not agree upon. Accordingly all parties have some influence on the outcome of the agreement. Also the policy may be different in practice than intended in the agreement. This suggests that the individual party policy can be significantly different than the outcome of the agreement and the policy to the government in practice. Also in government public opinion and the public opinion must be considered.

5.2 Public opinion

Constructivists imply the term refugee is socially constructed in Norway as in the international community. Barnett (2011) argues that the term depends on human agreement. Moreover through interactions meanings, ideas and belief change according to Social Constructivism (Wendt, 1992). Similar people and public opinion may change through meanings, ideas and beliefs, and are in constant construction. Meanings differ in the population in different times and settings. Interactions between the public opinion, parties, public policy, media, NGOs and international obligations are visible and the interactions can further change the outcome of the public policy and the public opinion.

In a democratic state the question about compliance is essential according to Narud and Valen (2007: 14). The voice of the people should be heard, the politicians should pay attention to signals from the “grassroots” and apply and adjust the policy accordingly. Politicians are the people representatives and the people delegate power. However deviations may occur according to Narud and Valen (2007: 14). Similarly Burstein (1998: 27) suggests that the governments are supposed to be subjected to the people in a democracy (Burstein, 1998: 27). Governments try to act according to public opinion, otherwise they may be defeated in the next election (Burstein, 1998: 29).

Burstein (2003: 29) suggests that most social scientists agree that public opinion impact policy, this is apparent in the research by Burstein, Page and Shapiro and Risse- Kappen. According to the research by Burstein (2003: 36) policy is affected by public opinion most of the time. Page and Shapiro examine the United States from 1935 to 1979 and the influence from public opinion. Similar to Burstein, they find that policy changes with public opinion. However governments can ignore public opinion in some situations (Page & Shapiro, 1983: 189). Page and Shapiro (1983: 189) recognize uncertainty with the research and are careful about stating an absolute conclusion. United States, France, Germany and Japan are areas focus on by Risse- Kappen. He finds that public opinion influence foreign policy in all countries. However influence varies among the countries (Risse-Kappen, 1991). In foreign policy public rarely directly affects policy decisions and implementations. Indeed indirect influence is more important (Risse-Kappen, 1991: 510). Page and Shapiro (1983: 189) find like Burstein (2003: 36), that policy changes with public opinion and especially with a significant change in public opinion. Similarly policymakers do not ignore an overwhelming public consensus according to Risse-Kappen (1991).

In Europe public opinion has supported restrictions on immigration and asylum policy. Anti-immigrant sentiments are evident in the public and has made headlines in the media according to Boswell (2005: 5). Immigration policy tends to be more liberal than public opinion in EU according to Freeman. He suggests that a “gap” is apparent between public opinion and policy (Freeman, 1995: 882- 883; Statham & Geddes, 2006). Restrictions are a trend in Europe and therefore the “gap” is rather small according to Brubaker (1995) . Restrictions are implemented according to public opinion. Additionally public support for restrictions is apparent in Norway. Like Boswell, Narud and Valen (2007: 196) argue that voters perception of immigration is more restricted than politicians. To illustrate, the Progress Party indicates small differences between politicians and voters. However the party overestimates the hostile attitudes to immigration and the politicians are more negative towards immigration than voters. In contrast among other parties more liberal attitudes are possessed by politicians. This includes the Christian Democrats and the Conservative Party (Narud & Valen, 2007: 196). Gudbrandsen (2012: 23) examines Norway, Sweden and Denmark and argues that asylum policy change with public opinion. Immigration policy is more in line with public opinion than for example the media (Gudbrandsen, 2012: 23). Consequently public opinion influence policy and also asylum and refugee policy. Thus the Conservative government is influenced by the public opinion in the asylum field.

Page and Shapiro (1983: 189) argue that manipulation of public opinion and rhetoric by politicians should be examined. In other words they acknowledge the possibility that rhetoric by politicians may influence public opinion. In Norway, more critical statements in media by politicians were evident during restriction in 2009 according to Seilskjær. However this has changed and a reason might be the war in Syria she says. “It is not grounds to talk about “fortune hunters”² and “unfounded asylum applications”³ today. People see that there are many people who are fleeing and need protection” she argues. The degree to which public opinion influences politicians and politicians influence on public opinion should be examined further. Moreover the numbers of people drowning crossing the Mediterranean Sea have also received much media attention and sympathy among the population. It is a paradox that when two supposedly restrictive parties constitute the government, it appears through media that public sympathy towards refugees and asylum seekers are stronger than previously among the population.

² «Lykkejegere» in Norwegian. Used negatively about asylum seekers. What the term means are probably people that come to Norway only for the reason to better their lives and not because of persecution.

³ «Grunnløse asyløkere» in Norwegian. Used negatively about people with denied asylum applications.

5.3 Media

There is often assumed that media set the agenda and influences policies, and political changes are the outcome (Gudbrandsen, 2011: 373). First, media can directly influence policy decision processes. Second, media can influence indirectly through shaping the public opinion (Bay & Saglie, 2003: 7; Gudbrandsen, 2012: 36). Similarly, as IOs try to influence state as argued by M. Barnett and Finnemore (2004) media can influence the public opinion. Media can influence how people perceive reality (Bay & Saglie, 2003: 13). News are interpreted and processed by media and are a result of journalists work. Interpretations are published to the public. The media select what to publish, points out problems, describes background conditions and decide solutions published and thus influence public opinion (Bay & Saglie, 2003: 12). Media set the agenda by emphasizing some issues and overlook others (Gudbrandsen, 2012: 36).

Different perceptions on how media affect politicians and policy decisions are evident. Because media can set the agenda, politicians must address the issue published by the media. Also politicians use media to publish issues of interest for the politicians (Eide, 1984). Moreover Brandenburg (2002) argues that during the 1997 campaign in UK, the politicians were not driven by the media. The politicians were setting the agenda for the media (Brandenburg, 2002). On the contrary Walgrave, Soroka, and Nuytemans (2008) argue that the media matter politically in Western European democracies and determines the political agenda. Bay and Saglie (2003) study newspapers that are publishing articles related to the welfare state in Norway from 1969 to 1999. They imply that politicians are often stated in the media and are included in ¼ of newspapers (Bay & Saglie, 2003: 8). Media and politicians are mutually dependent on each other according to Eide (1984: 17). Politicians are dependent on media to expand information about politics to the voters and media are dependent on politicians to access information from political life (Eide, 1984: 17).

The influence of media on family reunification in Norway and Sweden from 1995 to 2010 are studied by Gudbrandsen (2011) . She argues that media reported about immigration and asylum policy extensively in Norwegian. In recent years the liberal views of the press are apparent. The sitting government has often been criticized for a strict and unfair immigration and asylum policy. If the press had influence on the policy the impact would have been positive (Gudbrandsen, 2012: 22). However despite a liberal media, restrictions in family

reunification have been the trend in recent years. Accordingly, media do not influence policy to a substantial degree. Some changes are visible, but it is not highly significant according to Gudbrandsen (2011: 378; 2012: 22). Although Gudbrandsen (2011) focus on family reunification, her work is highly significant and similarities may be found in asylum related immigration.

For Norwegian media, asylum related immigration is important. Especially, long- staying children have received considerable attention from newspapers in recent years. Additionally long- staying children are highly debated and have caused dilemmas when constructing the two immigration agreements. The Christian Democrats and the Liberal Party are promoting the issue and try to put more emphasis on the best of the child. Consequently, the media appear to have an impact on this particular issue. Media have set the agenda and focused on this issue and the Christian Democrats and the Liberal Party have further seen the importance. Gudbrandsen (2011) suggests some changes are visible as a consequence of media attention on family reunification policy; however they are not highly significant. Although, it appears as media may have had an influence on the issues of long- staying children. Because of the broad attention, it may be assumed that the public opinion also favored a positive turn for long staying children. Moreover NGOs also appear as an important influential factor on this issue.

5.4 Non- Governmental Organizations (NGO)

Scholars disagree about the degree of influence NGOs, immigrant associations, churches and other form of organizations possess. Statham and Geddes (2006) examine immigration policy in UK and conclude that influence from civil society engagement is weak on immigration. The field is highly institutionalized and governed by the elite. Immigration policy is determined “top- down” by political elites in relative autonomous ways. Moreover Simmons argues:

“Many NGOs have the potential to set behavioral or policy standards, to produce independent information, and to lobby governments to justify, clarify, and/or change their policies”. (2009: 34)

In addition NGOs can educate the public to demand accountability from states according to Simmons (2009: 35). Amnesty International and Human Rights Watch

publish documents on human right violations and are important in pressuring repressive government, is argued by Hafner- Burtopn and Tsutsui (2005: 1385)

Several NGOs are important in Norway, for instance the Refugee Council, Amnesty International, Save the Children and the Norwegian Organization for Asylum Seekers (NOAS). The NGOs are found in media commenting on immigration and asylum related immigration, publishing reports of asylum seekers situation in Norway and attempt to influence the refugee and asylum policy to the Norwegian governments. Interest organizations in Norway were not evident until the 1990s, despite an extensive history (Brochmann & Rogstad, 2004: 332). Voluntary organizations represent a pillar for Norway, both - substantively and ideologically according to Brochmann and Rogstad (2004: 315). Eight national immigration and asylum organizations are economically supported by the local government and region department (Brochmann & Rogstad, 2004: 332). The organizations contribute as important pressure groups, consultative bodies and partners in central political questions. A multifunctional democracy is the objective to the state thus these organizations are supported. Through these organizations minorities get a channel to further their interests (Brochmann & Rogstad, 2004: 332).

Among immigration organizations researched in 2002, few had political influence according to Jon Rogstad (2002: 198), though some organizations had influence (Rogstad, 2002: 98). A later research by Brochmann and Rogstad (2004: 335- 336) concluded that some immigration organizations had influence on policy, however many organizations do not seek influence (Brochmann & Rogstad, 2004). NOAS and Amnesty International are among the NGOs that seek to influence the government and the asylum and refugee policy. Amnesty International criticizes Norway in the annual rapport 2014/2015. Amnesty criticizes the immigration agreement because among children residing in Norway over three years only children originating from countries Norway had a readmission agreement with can be granted amnesty. Amnesty suggests the criterion undermines the best interest of the child and is discriminating (Amnesty international, 2015: 279). Here, Amnesty attempts to influence the government. The organization points out the problem of discrimination and implies what is not good political behavior (M. Barnett & Finnemore, 2004). Moreover, in the interview with Mari Seilskjær she recognizes a number of factors influencing the government policy, and argues “NOAS has definitely been an influencing factor in some political processes in the asylum field. Especially compared to the small size we have a big impact”.

Moreover Statham and Geddes (2006: 264) suggest that NGOs influence varies according to the parties in the government in UK. Similarly, Seilskjær suggests NOAS has contact with the Christian Democrats and the Liberal Party. More similar values are found between the parties and NOAS. NOAS is directly influencing the Christian Democrats and the Liberal Party, while indirectly influencing the parties in the government. Seilskjær claims:

“There are some issues we have big influence over, this is particularly long-staying children. ... When it comes to long-staying children and legal aid and the like, they have dependent on our professional knowledge to see how this can be formulated”.

Obviously NOAS is political and try to influence the government, and according to the findings NOAS have influenced the government on the issue of long staying children. This suggests that NGOs have a certain degree of influence on political policies.

5.5 Summary

In summary, political parties, public opinion, media and NGOs can influence the government policy and the individual party policy on asylum related immigration. Political Parties can influence each other, and in government compromises are necessary. Several scholars agree that public opinion is important for public policy. Accordingly the sitting Conservative government is influenced by public opinion; this is evident on the issue of long staying children. In addition, Media and NGOs can influence the government and political parties to some degree. Similarly to public opinion, the influence from media and NGOs are also evident on the issues of long staying children. Moreover all these factors, politicians, party policies, public opinion, media and NGOs are connected and can influence one another. The media are an arena where NGOs and politicians express opinions. The Media influence the public opinion to some degree through agenda setting (Bay & Saglie, 2003: 12). If media can influence public opinion, similarly one may assume NGOs and politicians do the same. Moreover public opinion, NGOs, media, politicians, political parties and the government are to some degree influenced by international factors as international obligations and EU countries' policy towards refugee and asylum seekers.

6.0 International influence on Norwegian refugee- and asylum policy

International influence is examined in this chapter. International influence refers to factors from outside Norwegian national borders that influence the asylum and refugee policy to the Conservative government. This includes political factors and human rights. The policy is influenced by EU policy related to refugees and asylum seekers and this will be discussed first. Moreover international obligations and UNHCR influence Norwegian national policy. UNHCR and international obligations promote cosmopolitan human rights and refugee rights in the international community and among states. EU advocates for cooperation between the European countries on issues concerning refugees and asylum seekers.

6.1 influence from the European Union

The European Union (EU) encounters challenges as a consequence of immigration to Europe. Because of this EU promotes cooperation, harmonization and burden sharing between the European countries. Common systems, standards, norms and approaches towards immigration are the objective and will improve national policies and the effectiveness of the system. Particularly important is cooperation on issues incorporating border controls. The ambition of the EU is to harmonize asylum and refugee policy between the countries (Boswell, 2005: 24). Boswell (2005) is afraid this will cause a downwards spiral of refugee protection standards for countries with better systems. However countries with poor refugee systems may also improve the systems because of harmonization which is positive according to Boswell (2005: 24).

The Norwegian governments attempt to harmonize immigration policy similar to EU standards. The sitting government published a work program regarding cooperation with EU. Here, the focus is on improving the asylum and migration system in Europe and controlling the borders (Utenriksdepartementet, 2015). The white paper about “Norwegian refugee and migration policy in a European perspective” emphasizes the desire of becoming more similar with EU policy (Meld. St. 9, 2009- 2010). The government wishes to cooperate, harmonize and coordinate challenges concerning refugees and asylum seekers with EU policy. Harmonization is an objective for preventing a large number of asylum seekers coming to Norway. The white paper suggests migrants choose Norway because of the chance to obtain a resident permit (Meld. St. 9, 2009- 2010: 6, 21). According to the White Paper, Norway hosts more refugees compared to other European countries, based on the number of refugees per

inhabitants (Meld. St. 9, 2009- 2010: 6, 21). In 2013 Norway was on top 15 of host countries in the world. This is based on numbers of refugees and people in refugee- like situations per 1,000 inhabitants (UNHCR, 2013b: 88). No discussions have been apparent among the parties about whether Norway should follow a policy similar to other European countries (Brekke, 2011: 17). Brekke (2011: 17) implies this is because of a general agreement among the parties on the issue. Moreover Vevstad (2013: 409) argues that Norway wants to be influenced by EU and are influenced not only by the binding regulations, Dublin and Schengen, but also by the system as a whole.

Norway cooperates with EU through the Dublin and Schengen regulations (Meld. St. 9, 2009-2010: 5). The Dublin regulation contains procedures that determine the country responsible for an immigrant and asylum seeker (Brekke, 2011: 8). The Schengen regulation constitutes agreements about joint borders (Brekke, 2011: 9). Dublin and Schengen presume states will comply with common norms, international laws as the Refugee Convention, the Convention on Human Rights, ECHR and other set of EU rules like the Common European Asylum System (CEAS) (Brekke, 2011: 9). Accordingly Norway and the government are through the regulations and agreements with EU influenced by international obligations. Similarly to the norm cycle by M. Finnemore and Sikkink (1998), and acculturation presented by Goodman and Jinks (2004), states are pressured and persuaded to comply with norms by neighbor countries and countries in the same region. Simmons (2000: 832) suggests states are influenced by neighbor countries when accepting IOs influence. For instance states compliance with International Monetary Fund (IMF) is influenced by countries in own region. Countries are influenced by countries in the same region more than previously presumed (Simmons, 2000: 832). Drawing from the research, Norway is influenced by neighboring countries, EU and countries in the same region. All accept international human rights, and the rights are the foundation of EU policy. To cooperate with EU in the Schengen and Dublin regulations appears impossible for Norway without accepting human rights and refugee rights.

Guiraudon and Lahav (2000: 178) argues

“As international human rights norms develop, national governments also engage at the international level to regain some of the control that they have lost over migration flows because of national jurisprudence” (Guiraudon & Lahav, 2000: 178).

This is evident in EU and the border controls. EU desires to minimize irregular migrants from entering Europe. Internal borders are opened and external controls are stronger (Boswell, 2005: 11- 12). Dilemmas between communitarianism and cosmopolitanism rights arise because of the border controls. On the one hand border controls are legitimate because of the communitarian right of sovereignty states possess (Vevstad, 2013: 409). On the other hand strict borders do not only keep irregular migrants out, it keeps asylum seekers and refugees out as well. Asylum seekers and refugees may be prevented from applying for protection (Vevstad, 2013: 409), which is a cosmopolitan human right asylum seekers possess. As argued by Carnes (1992) it cannot be morally defended to attempt to keep refugees away from the borders, this is similar as sending people back to persecution. Similarly to the Norwegian state, EU is required to balance communitarian sovereign rights to control borders with cosmopolitan human rights possessed by refugees and asylum seekers.

Furthermore, the objective of a similar asylum and refugee policy within EU is not achieved because national policies are still important according to Gudbrandsen (2012: 50). This is evident in a research by UNHCR, conducted from October 2010 to April 2011, of the asylum policy to Belgium, France, Germany, Sweden and the UK (UNHCR, 2011a; Vevstad, 2013: 431). These states receive most asylum seekers among the European countries. It was discovered great variations in granting asylum based on the Refugee Definition and ECHR in the research. For instance granting of asylum according to the Refugee Convention to Somalis varied from 1.8 % to 74.3 % among the countries, and for Iraqis it varied from 5.9 percent to 55.8 %. The rapport found evidence that granting asylum to asylum seekers were strict among the countries examined. Unreasonable rejections were granted to several applicants (UNHCR, 2011a: 99- 101). Again the importance of national policy is apparent, compared to EU policy and international obligations.

6.2 International human rights and refugee rights

Debates regarding the influence and impact of human rights and international laws are evident among scholars and theories of IR. Scholars agree international human rights have produced a worldwide international law system. The human rights laws are closed to universal because of the high number of states that have ratified the laws (Hafner- Burtopn & Tsutsui, 2005: 1373, 1374). States voluntary chose to comply with the rights and ratify the conventions.

Monitoring and enforcement power are important for international organizations and as a consequence this produce national constrains according to Guiraudon and Lahav (2000: 168).

Aside from the ECHR system, few international obligations possess this power. In Europe the European Court of Human Rights was established to control that states respect the European Convention on Human Rights. The court is legally binding and is as effective as a domestic court (Moravcsik, 2000). “The ECHR system is widely accepted as the “most advanced and effective” international regime for formally enforcing human rights in the world today” according to Moravcsik (2000: 218). The European Court of Human Rights convicted Norway for breaking ECHR in the following cases, *Butt v Norway* in 2012 and *Kaplan and others v Norway* in 2014. This emphasizes the importance of the court and demonstrates that the court has power to protect cosmopolitan human rights when communitarian national policies deviate from these. One may question why states accept international laws and ECHR constrains on states national policy.

Scholars offer several explanations for why states choose to follow international obligations. Haddad suggests that states act according to international laws because respect and recognition are gained from the other states (Haddad 2008: 93). Hathaway argues that states that do not comply with basic human rights and constrains on autonomous authority that follows the rights, “fail the test of minimum international legitimacy” (Hathaway, 1991: 113). Simmons (2000: 819) argues that states that accepted international obligations are expected to follow the rules, and their reputation may be damaged if obligations are violated. M. Finnemore and Sikkink (1998: 903- 904) suggest that some states comply with liberal norms because being “liberal states” are part of their identity. Similarly Joppke (1998: 292) argues that states in Western Europe accept immigrants because it is “inherent in the liberalness of liberal states”. Liberalism is dominant in Western Europe and with liberalism follows respect for universal human rights and rule of law (Joppke, 1998: 292- 293). Joppke suggests

“Only from their firm grounding in the key states of the West, could the liberal principle of human rights and rule of law triumph as “global discourse” around the world” (Joppke, 1998: 293).

Joppke (1998: 293) argues that universal human rights laws are embedded in the national system of European states and are therefore not external constrains. Boswell (2007) refers to the international laws as liberal constrains. Boswell (2007: 96) draws from Alexander Wendt and suggests “liberal constrains is what states make of it”. One can further argue that liberal constrains is what Norway makes of it.

Norway, as other states, wish to present itself as liberal, humanitarian and committed to human rights (Boswell, 2007: 86- 87). The relationship with the South is important for the Norwegian self- image. Norway regards itself as “good” and with a mission in the world to help people in the South. Norwegian identity is based on moral superiority according to Hylland Eriksen and Neumann (2011: 430- 433). Drawing from constructivism the Norwegian identity is socially constructed through time. Norway appears to be persuaded by human rights to help people outside the territory. Accordingly one would expect Norway to be liberal in meeting refugees and immigrants arriving at the borders. The white paper about “Norwegian refugee and migration policy in a European perspective” states

“Norwegian refugee and migration policy is determined by Norwegian political authorities, based on national premises, and in accordance with international obligations and agreements” (Meld. St. 9, 2009- 2010: 5 own translation).

The Norwegian government provides protection to refugees and this may indicate that Norway is concerned for justice, humanitarian responsibilities and human right thinking. However Boswell argues that national interests are more important than the desire to be regarded as liberal. States are seldom committed to assist people outside the border as refugees (Boswell, 2007: 86- 87).

For refugees, the convention on the rights of the child may be important. The CRC suggest that rights apply to children without discrimination. Article 3 suggests that the right of the child should be a primary consideration (Fauchald & Tuseth, 2012: 1041). Moreover the Refugee Convention offers basic minimum standards for treatment of refugees and is based on principles as non- discrimination, non- penalization and non- refoulement (UNHCR, 2010: 3). L. Barnett (2001: 261) suggests that some states are unwilling to incorporate international obligations in national law. However, Norway has ratified the Convention and the refugee definition is incorporated in the Norwegian national law. According to the White Paper regarding refugee and migration policy from 2010 , the Refugee Convention and the ECHR are among the most important international laws that decide who is granted protection in Norway (Meld. St. 9, 2009- 2010: 5).

Furthermore several scholars, including Haddad (2008), suggest the most important right for refugees are the non- refoulement principle found in article 33 of the Refugee Convention and article 3 of the ECHR (Øyen, 2013a). “Prohibition of torture” is found in article 3 of the ECHR and suggests that no one shall suffer from torture, inhuman or degrading treatments

(Fauchald & Tuseth, 2012: 258). This principle applies to everyone, not only refugees, and contrary to the Refugee Convention article 33, the ECHR does not exclude people that has committed serious war crimes or crimes against humanity (Øyen, 2013a: 338). According to Haddad the non-refoulement principle limits the states right to exclusion of foreigners, and therefore states are to some degree restricted by international laws. However no international law has managed to penetrate the state sovereignty (Haddad 2008: 79). Chalk (1998: 158) argues that states are restricted because of non- refoulement, however states still decide if they should give asylum or not. Moreover the refugee definition in the Refugee Convention and the non- refoulement principle provides asylum seekers refugee status in Norway. Also asylum seekers may be granted asylum based on humanitarian grounds. Øyen (2013c: 317) suggests that countries are not obligated to provide protection based on humanitarian grounds, though Norway as several other countries, has determined to provide this in certain situations. Political objectives control admission, however it is not independent of international obligations, auricle 3 of the CRC and article 3 of the ECHR are important. (Øyen, 2013c: 317).

The cosmopolitan rights of asylum seekers and refugees originate from international and national laws and are thus important for the political parties. In contrary to realism, one may suggest that Norway allows the Refugee Convention and the Council of Europe, to constrain national decision making. Moreover Norway grants asylum based on humanitarian grounds although this is not obligated. It appears, Norway does more than realists expect states to do. However when it is in the best interest of the state and because of coercion, then realists suggests that states accept international obligations (Dunne & Schmidt, 2011. 90; Goodman & Jinks, 2004). Based on the realist positions one may argue that Norway complies with international obligations because of national interests. Or as argued by Constructivism, Norway is socialized to accept international obligations and regard the obligations as legitimate.

6.2.1 Influence of international obligations on the Conservative government

“Human rights treaties matter most where they have domestic political and legal traction” argues Simmons (2009: 12). Accordingly, in Norway international obligations constitute of various human rights and refugee rights. These rights are incorporated in the national law and this emphasizes the importance of the cosmopolitan human rights for the Norwegian state and

governments. Political parties refer to international obligations in manifestoes; this again emphasizes obligations influence on political parties. Conventions related to refugees are introduced by UN and the Council of Europe. Parties accept the expert authority gained by these IOs, and are convinced that the organizations are acting based on common good (M. Barnett & Finnemore, 2004).

Furthermore, Norway should give protection and assistance to people in need according to the Conservative Party manifesto (Conservative party, 2013: 80). The party accepts cosmopolitan rights possessed by refugees. However, the party does not explicitly refer to international obligations or UN recommendations under the headline “asylum seekers and refugees”. However the Conservative Party refers to international obligations in other sections of the manifesto. According to the manifesto the party wants to ensure human rights, and the UDHR and the ECHR are in prominent positions (Conservative party, 2013: 95, 103). Moreover, according to the Conservative Party website the party wants to protect the Refugee Convention and the right to seek asylum (Conservative Party, 2014b). In contrary to the Conservative Party, the Progress Party refers to international obligations in the manifesto. The Progress Party wants Norway to fulfill international commitments and assist refugees (Progress Party, 2013a: 38). The party explicitly refers to international obligations in the manifesto this implies the party wants to follow the Refugee Convention, the CRC and the ECHR. The Party also accepts the cosmopolitan human rights possessed by refugees. The first immigration agreement does also refer to international obligations.

Immigration agreement

According to the immigration agreement “Norway will fulfill its international obligations and assist refugees” (Liberal Party, Conservative Democrats, Progress Party, & Conservative Party, 2014: 1 own translation). This suggests that all four parties recognize the importance of cosmopolitan refugee rights. Drawing from constructivism, refugee rights are constructed and originate from interplay between international norms and national norms. The government emphasizes the importance of refugee rights which implies that Norway may be socialized to accept refugee rights anticipated by constructivist theory. As a consequence of persuasion Norway has previously altered its identity when the elite and the government were persuaded to accept the obligations. This dates back to 1950s when Norway accepted the Refugee Convention and the ECHR. Today the Norwegian Conservative government and the political

parties are still convinced that the rights are appropriate (Moravcsik, 2000). However some debates concerning international obligations are visible.

Restrictions

Article 31 in the Vienna Convention suggests conventions ought to be interpreted in “good faith” (United Nations, 1980). However, because of national determination states may interpret international obligations strict or more liberal. The Refugee Convention offers minimum standards of treating refugees, states may offer more favorable conditions (UNHCR, 2010 : 3). Most states determine to interpret the conventions strict. Boswell argues that the European states have used all available restrictions in the asylum system (Boswell, 2005: 8). In Norway multiple restrictions have been implemented within the field since Kjell Magne Bondevik's Second Government. Erna Solberg, the Norwegian Prime Minister from the Conservative Party, was Minister of Local Government and Regional Development from 2001 to 2005. A series of restrictions were implemented in the refugee and asylum policy under this government. Seilskjær (2013: 12) argues that several restrictions were contrary to UN recommendations regarding who should be granted protection. For instance UNHCR recommendations were previously considered important, however they were becoming of less significance. This marked a shift in Norwegian policy, and Norway was no longer acting according UNHCR recommendations (NOAS, 2013: 9). Seilskjær argues that restrictions and control have subsequently been the primary concern. Norway no longer accepts UNHCR to constrain national determination. Communitarian national policy became of greater significance compared to recommendations from UNHCR.

Moreover critics suggest that the previous Labour government restricted asylum policy as severely as possible without violating international obligations (Norwegian Refugee Council, 2013: 127). The Progress Party and the Conservative Party emphasize restrictions in the manifestoes. Seilskjær claims that the refugee and asylum policy is at a minimum level accepted by international obligations. She argues

“Norway says on an overriding general plan that we should respect, strengthen and develop human rights in documents concerning Norway’s human rights obligation. But when it comes to specific policies and more practical questions

they are at a minimum level. The approach is how much we can restrict, without being judged in human rights courts”.

Accordingly it appears Norway does not provide more favorable conditions for refugees and asylum seekers. Norway acts according to international obligations but based on minimum standards acceptable. Accordingly international obligations may appear as constrains Norway is coerced to follow similar to rationalist perceptions. Norway may respect obligations to avoid negative effects and sanctions (Goodman & Jinks, 2004). This may question the arguments by constructivists, concerning a change in Norwegian identity when accepting refugee rights. However according to the manifestoes the government still believes it is appropriate to follow the rights and constructivism may still be relevant.

Western states including Norway prefer refugees to stay in the country of first asylum and are reluctant to let refugees inside the country (Weiner, 1996). Weiner highlights three explanations. First, refugees will be better adjusted in similar economic and social conditions. Second, costs of refugees are less in countries of first asylum compared to developing countries. Third, voluntarily return are more probable from country of first asylum (Weiner, 1996: 187). The Progress Party recognizes the first and second argument. The party suggests in the manifesto that refugees can better be assisted in vicinity close to country of origin culturally and geographically. “It will provide assistance and security to more people in such areas for the same amount it would cost to have one refugee in Norway” (Progress Party, 2013a: 38 own translation). In contrary, this is not stated in the Conservative Party manifesto. However Ingjerd Schou, immigration speaker for the Conservative Party, suggests on the party website, similar to the Progress Party that as many Syrians as possible should be assisted and the most important is to help in the vicinity (Schou, 2014). She recognizes the second argument by Walzer, and suggests

“For each person we bring to Norway, we can help 26 people in the refugee camp in Jordan and 13 people on the program in Lebanon ... The most important for helping people in Syria is happening locally in the vicinity” (Schou, 2014: own translation).

Both politicians emphasize the importance of assisting refugees where they are. However, Norway is obligated to grant asylum to refugees arriving at the borders as asylum seekers according to the Refugee Convention and ECHR.

International conventions and obligations

The Refugee Convention was established in 1951. The relevance of the Convention in the contemporary international community is debated among scholars and parties. Some argue the refugee definition is too limited, and for instance exclude displaced persons from conflicts and environmental disasters (Betts & Loescher, 2011). In contrary others, including the Progress Party, argue that the Convention should be adjusted according to the contemporary international system. The Conservative Party does not question the Refugee Convention according to Kalsøen or in the manifesto. Seilskjær argues that the policy of the Conservative Party and the Progress Party is similar in practice; however policy is discussed differently in public. Per Sandberg, the deputy director for the Progress Party, implies

“When the Refugee Convention was adopted by the UN in 1951, no one envisioned that the Convention would form the basis for a mass immigration of the scale we see today. The assumption was that political refugees could get temporary protection in the closest safe neighboring countries and that the person, as a main rule should return when the situation again was safe.” (Sandberg, 2013b own translation).

Accordingly it appears as though Sandberg does not believe the Convention should be used in the contemporary international society today.

Furthermore, Nerdal, agrees with Sandberg. Nerdal suggests:

“We want to take a debate around these conventions. In Norway we are the only party that wants this kind of debate. This does not mean that one will necessarily terminate some of the conventions. But you have to look at the interpretations and practices. We have brought this issue up in the Council of Europe”.

This suggests the Progress Party wants to influence international obligations and make a change in the international system of international obligations. Nerdal adds:

“...it is a big ethical and moral dilemma. Here you have by far the most resourceful population amongst refugees that can afford to pay smugglers to get to Europe. Are these the ones who have the most right to protection and most in need of protection, or whether it is mainly women and children, who remain in

surrounding areas? The Progress Party believes we should help those who have least initially, and the contemporary system does not do this in a satisfactory way”.

He personally believes the international system has failed to help as many as possible, thus a change in the whole system is necessary.

Challenges and dilemmas may arise from international obligations. Similar to Øyen (2013c: 309- 310), Brown (2011) and Nerdal recognize the problems with jihadists and people that has conducted serious crimes. Brown (2011: 158) argues that jihadists can be protected by non- refoulement when coming to the West. They may interpret this as a sign of weakness rather than a virtue. They may not wish to harm us, but this cannot be guaranteed (Brown, 2011: 158). Nerdal also recognizes challenges concerning ECHR and non- refoulement. He argues that we might experience a situation of Syrian warriors coming to Norway in the future. “We then have most likely no evidence to criminally prosecute these people and at the same time they cannot be deported, because they risk the death penalty in the home country ... This is a big problem, then you are without instruments as a liberal constitutional state”. For instance Mulla Krekar is protected by the non- refoulement principle and cannot be deported and has not been prosecuted in Norwegian courts.

Several parties and central politicians argued for the deportation of Mulla Krekar (NOAS, 2013: 9). The supreme court recognized Krekar as a threat to national security, however he risked persecution and death penalty in Iraq and consequently could not return (NOAS, 2013: 9). In opposition the Progress Party urged for deportation of Mulla Krekar to Iraq (Sandberg, 2013a). If the party was elected into the government the party claimed they would uncover a solution and deport Mulla Krekar. However, this has proved challenging. Sandberg (2013a) regards Krekar as a great problem. He argues that Norway violates the intention to the Refugee Convention article 1 f (a) by letting him stay in the country. Because of Krekar’s role as the leader of the terrorist organization Ansar al-Islam, he is excluded from the Refugee Convention (Sandberg, 2013a). Moreover Volckmar (2014: 482) suggests the transition from a party in opposition to a responsible party in the government produces tensions for the Progress Party. The Progress Party in Government encounters complications in the attempts to achieve the objective of the party in opposition. In opposition proposing solutions violating international obligation are not as problematic because the party did not represent the

Norwegian government. However in government parties are required to comply with international obligations and national laws.

The Norwegian government is influenced by international obligations from multiple arenas on the national level, not only directly from conventions and IOs. Public opinion, media and NGOs appear influenced by international obligations. Because public opinion, media and NGOs can influence the government to a certain degree, the government is influenced by international obligations indirectly. As suggested by constructivism, international norms are accepted by the public and civil society. These groups pressure the elites and the elites are convinced and change their identity accordingly (M. Finnemore & Sikkink, 1998; Moravcsik, 2000: 223). For instance the media publish articles about suspected violations of international obligations. NGOs, like NOAS attempt to influence political parties and the government regarding refugee and asylum seekers rights. Influence and debates in the public related to the rights of asylum seekers and refugees will continue in the future because the norms are not internalized in Norway.

Discussions regarding international obligations related to refugees in the public suggest the rights of refugees and asylum seekers are not internalized according to the norm cycle to M. Finnemore and Sikkink (1998). Internalizing entails that norms are taken-for-granted. Clearly the norms related to refugee and asylum seekers are not taken-for-granted in Norway, although most parties believe refugees should receive assistance. However how refugees should be assisted is not agreed upon among the parties. Norway is at the second stage, “broad norm acceptance” or “norm cascade”. M. Finnemore and Sikkink (1998) suggest that not all norms reach the final stage of internalization. The Right to vote for woman, abolishment of slavery and sovereignty are internalization. These rights are taken-for-granted in democratic states. Sovereignty is among the prominent Western norms (M. Finnemore & Sikkink, 1998: 904). Because of dilemmas concerning sovereignty communitarian rights and cosmopolitan human rights it might be questioned whether refugee rights can become internalized in the future world system. Wendt suggests that a “world state” is inevitable and in a world state everyone are equal, unlike today. Therefore a world state is desirable. It would be a minimum standard of a just world according to Wendt (2003: 529). Accordingly only in a cosmopolitan world state the rights of refugee can be internalized. However the world is communitarian (Benhabib, 2004; Haddad, 2008), and organizations like the UN and UNHCR acknowledge sovereignty rights when constructing international laws and recommendations.

6.3 UNHCR

The United Nations High Commissioner for Refugees (UNHCR) was established 1 January 1951 (UNHCR, 2011b: 3) “Protecting the unprecedented numbers of people forcibly displaced around the world remains at the core of UNHCR’s work” (UNHCR, 2013a).

Durable solutions continue to be the objective for the organization. It advocates for sustained international solidarity and international burden-sharing regarding refugees (UNHCR, 2013b: 90). UNHCR undertake to protect the cosmopolitan right of refugees and are caught between communitarian sovereignty rights and cosmopolitanism international rights (L. Barnett, 2001: 258). UNHCR argues for morality to all refugees and displaced. However, Western powers created UNHCR in a way that would not threaten their sovereignty and would not induce new financial burdens towards refugees (Loescher, 2001: 35). For instance the organization was created without a supervisory body with formal power and mandate to review the performance by states according to L. Barnett (2001: 246).

Norwegian cooperation with UNHCR

Furthermore, parliaments and governments should encourage cooperation with UNHCR and provide information concerning refugees from the national territory to the organization according to Jastram et al. (2001: 20). Article 35 of the Refugee Convention suggests “the Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees (UNHCR, 2010: 31). Moreover Western governments, including Norway, are less willing to comply with recommendations and procedures from UNHCR because of an increasing number of refugees according to Weiner (1996: 17). UNHCR recommendations are important for Norway. However recommendations are soft laws, this means they are not binding (Øyen, 2013c: 41).

UNHCR is significant among the political parties when discussing refugees. In the manifesto to the Conservative Party, UNHCR and recommendations from the organization is not referred to. However the Conservative Party prefers to assist UNHCR and countries hosting refugees according to the Conservative Party website (Conservative Party, 2014b). Similar to the Conservative Party, the Progress Party does not refer to UNHCR or recommendations from the organization in the manifesto. However Nerdal, suggests the Progress Party prefers to mainly assist refugees where they are through UNHCR. Accordingly the parties regard

UNHCR as acting based on common good and accept the specialized knowledge of the organization (Loescher, 2001: 40). The organization is expected to be more moral than single states (M. Barnett & Finnemore, 2004: 3, 5). The arguments by Barnett and Finnemore are reflected by the Conservative Party and the Progress Party in Norway, because the importance of the organization is emphasized.

6.3.1 Transfer refugee and the conflict in Syria

UNHCR resettles transfer refugees. Countries are not legally obligated to accept transfer refugees and a limited number of states offer this, however this demonstrate generosity. The organization endeavors to identify people in greatest need of resettlement (UNHCR, 2011b: 5-6). Accordingly Norway demonstrates generosity and is among few countries accepting transfer refugees. Obligations to help transfer refugees do not exist, only obligations towards refugees arriving at the borders of Norway. Norway accepts more favorable conditions than anticipated by realists from a supposedly egoistic state. This may support the constructivist claim that Norway is socialized to assist refugees.

Transfer refugees are by several scholars and politicians recognized as more favorable to accept than asylum seekers. Boswell, like Nerdal, argues that asylum seekers are not necessarily in greatest need of protection (Boswell, 2005: 9). The most desperate, threatened and vulnerable are in camps and shelters according to Carnes (1992: 38). In contrary Walzer (1983) and Carnes (1992) are willing to prioritize asylum seekers because by not accepting them into the territory we are required to use force against helpless people. Unlike Walzer (1983) and Carnes (1992), the Progress Party suggests in the manifesto that transfer refugees should be prioritized over other refugees, though they should return home when conditions in the home country improve (Progress Party, 2013b: 8). In contrary to the Progress Party, the Conservative Party does not suggest transfer refugees should be prioritized, but the party wants to “allow for an increase in the number of transfer refugees if the situation so indicates” (Conservative party, 2013: 80). The number of transfer refugees Norway should accept from Syria, has been debated among the political parties.

Media attention has in recent years been directed towards the war in Syria. UNHCR urged European states to do more for Syrian refugees, including offer resettlement. UNHCR urge states to offer asylum seekers access to their territory and Europe to offer resettlement for 100 000 Syrian refugees in 2015 and 2016 (UNHCR, 2014a). Moreover several NGOs in

Norway, including the Refugee Council, Amnesty International and NOAS have argued that Norway ought to accept 10 000 refugees during the two next years. The Conservative Party and the Progress Party do not want to accept as many as 10 000 transfer refugees from Syria. However several political parties including the Liberal Party and the Christian Democrats accept 10 000 transfer refugees (Lia Solberg, 2015). Accordingly some parties take the plea from UNHCR seriously regarding admitting transfer refugee. The parties in government prefer to offer financial assistance where refugees are. However political parties did not initiate serious commitments to Syrian refugees until the NGOs promoted the issue. Consequently the influence from NGOs in Norway appear as more important than influence from UNHCR in this particular situation.

Moreover, transfer refugees with prospect for a successful integration shall be prioritized according to the first immigration agreement (Liberal Party et al., 2014: 11). NOAS is skeptical about this criterion and argue individual circumstances should not be decisive when already obtained a refugee status (NOAS, 2014). In the summer of 2014 “Aftenposten” reported that the Norwegian government rejected transfer refugees from UNHCR because the refugees were sick or because of sick family members who needed medical assistance (Johansen, 2014). The reason why Norway refused these refugees was because the municipalities were unable to accept sick refugees in need of medical care (Johansen & Ruud, 2014). Anundsen, the minister of justice and public security, states

“This demonstrates a dilemma. On the one hand we want to help those who need help. All refugees need help. At the same time we must take into account some of the challenges we have in Norway” (Johansen & Ruud, 2014 own translation).

Tensions between national communitarian interests and cosmopolitan rights of transfer refugees are evident. As one may expect in a communitarian world, in this example the communitarian interest of the state outweigh the cosmopolitan individual rights of transfer refugees.

7.0 Discussion

The research questions seek to explore national and international influence on the Norwegian refugee and asylum policy. This discussion brings my empirical findings with my theoretical framework of normative theory and distinctions between cosmopolitanism and communitarianism. The world consists of communitarian sovereignty right and cosmopolitan human rights. Communitarian rights and cosmopolitan rights are both important however the tension between the two approaches is evident in the policy to the political parties and the government policy.

Cosmopolitan rights are based on international human rights and refugee rights. International rights are universal and apply to all humans no matter country of origin or geographic locations. Similarly to temporary sojourn as argued by Kant, to seek asylum in another country is a human right from article 14 of the UDHR (Benhabib, 2004: 28; Fauchald & Tuseth, 2012: 184). In contrary the communitarian rights of sovereign states are important in the international community. Sovereignty norms are now taken- for- granted according to M. Finnemore and Sikkink (1998). To control the borders of the state are legitimate in the current world system (Vevstad, 2013). The right to emigrate and seek asylum is based on cosmopolitan rights, but to immigrate and enjoy permanent residency are decided by communitarian states (Haddad, 2008). Accordingly Norway decides whether the refugees are granted asylum and receive permanent residency. The Norwegian state and the Norwegian government must balance the tension between international human rights and state sovereignty and weigh the interests.

What matters most, international obligations or national policy in national refugee policy are discussed among scholars. National policy is important according to the research by UNHCR (2011a) regarding asylum policy to five EU countries. The research emphasizes the fact that cosmopolitan rights can be interpreted differently among countries. Moreover several scholars stress the central role of national policy despite international obligations in the refugee and asylum field. Gudbrandsen (2012) argues that national policy is central when it comes to national policy concerning refugees and asylum seekers. Brochmann and Hagelund (2010) also argue that national policy is important. Additionally scholars recognize the importance of international obligations. National laws must be constructed through the framework of international obligations (Sassen, 2000). Although international cosmopolitan laws are important, communitarian national policy is still central in national refugee and asylum

policy. Because Benhabib (2004); Haddad (2008) argue the world is communitarian, national interests may appear as more important.

The welfare state is an important feature of the Norwegian state. Walzer is committed to a welfare state. A welfare state is highly depended on border controls to maintain the system. The welfare state is clearly founded based on communitarian ideas about national self-determination (Brown, 2011). Brochmann and Hagelund (2012) recognize challenges regarding refugees, because more refugees are without jobs compared to the rest of the population. The Progress Party also recognizes challenges Norway will encounter in the future as a consequence of refugees. To continue the current immigration policy are economically irresponsible according to Per Sandberg (Progress Party, n. d.-a own translation). Sandberg emphasizes the moral responsibility towards citizens within Norway similar to communitarianism, over cosmopolitan rights of refugees. According to these statements it appears the best interests for the welfare state is to close the borders and not accept people costly for the society.

Moreover states have moral obligations through international obligations towards refugees. Norway must adhere to international obligations accepted by the country. Norway is regarded as a good international citizen and as an active contributor to UN peacekeeping operations (Brown, 2011). Additionally Norway offers resettlement to transfer refugees, and asylum seekers may receive asylum based on humanitarian grounds (Øyen, 2013c: 317). This is not obligations, Norway choose to provide these more favorable cosmopolitan rights to displaced. However critics argue the asylum institute is severely restricted and are at an minimum level accepted by international obligations (Norwegian Refugee Council, 2013: 127). Also Brown (2011: 157) claims the welfare states in Scandinavia as Norway, are not cosmopolitan, they are depended on communitarian border controls. One the one hand is communitarian interests of national determination, on the other hand is cosmopolitan human rights and moral responsibilities towards refugees. Both are important, although the welfare state is communitarian and this may suggests communitarian rights are overriding.

Furthermore, tensions between international and national interests are evident in political parties' manifestoes. Manifestoes to the Conservative Party and the Progress Party suggest refugees should be offered assistance. The parties want to protect refugees from persecution and adhere to international obligations (Conservative party, 2013; Progress Party, 2013a). The cosmopolitan moral responsibilities to refugees are recognized by the parties. Moreover the

government may also experience pressure from NGOs and other interests groups focusing on improving the conditions for refugees and asylum seekers. However, also among politicians and the population some may wish to restrict the policy. The Conservative Party and the Progress Party argue for a strict policy towards refugees and asylum seekers. Also in the immigration field voters are generally stricter than politicians according to Narud and Valen (2007: 196). The cosmopolitan rights of refugees and asylum seekers should be considered alongside the citizens and public pressure of restrictions towards the government (Boswell, 2005: 9).

The two parties constituting the government are compared to asylum and refugees policy to the Liberal Party and the Christian Democrats. These parties are perceived as more liberal, accordingly one may expect more emphasize on cosmopolitan values compared to the parties in government. The Liberal Party argues for the necessity to comply with UNHCR and a section is devoted to improving conditions for displaced children in Norway. Few negative statements about asylum seekers is evident from the manifesto (Liberal Party, 2013: 89- 90). Moreover the Christian Democrats recognizes some challenges deriving from asylum seekers and argue asylum seekers receiving final rejections should be deported immediately. However the best of the child should become more important. Also Norway should cooperate in creating international regulations regarding displaced due to climate changes according to the manifesto (Christian democratic party, 2013: 103- 104). Displaced due to climate changes are not recognized as refugees in the contemporary international community. The Liberal Party and the Christian Democrats both accept more cosmopolitan responsibility according to the manifestoes compared to the two parties in government that focus mainly on restrictions. Both want to improve conditions for long staying children in Norway and displaced persons in general than obligated by international obligations. However the parties are not cosmopolitan, they are still interested in protecting communitarian rights and interests.

Long staying children receive extensive attention from political parties. One the one hand the Christian Democrats and the Liberal Party argue for more emphasize on the cosmopolitan rights and “the best interests of the child” from the CRC article 3 (Fauchald & Tuseth, 2012: 1989). Children should not be punished for parents mistakes and their violation of the Immigration Act, is an important arguments (Øyen, 2013b: 325). One the other hand the Progress Party objective is to restrict the asylum policy and obtain more control. Also the immigration authorities believe it is unfortunate to grant asylum to people residing illegally in the country. Mixed signals are thus sent to others residing illegally in the country. The best of

the child is balanced against states interest to control immigration (Øyen, 2013b: 325). The cosmopolitan rights of the child are emphasized in the immigration agreement and also restrictions were implemented. The immigration agreements are required to balance parties' policy and also considerations to cosmopolitan and communitarian rights.

Furthermore, the numbers of Syrian transfer refugees Norway ought to accept causes debates and tensions among the parties. It may appear the majority of political parties will accept the objective to the NGOs, and offer resettlement to 10 000 Syrian refugees (Kongsli Hillestad, 2015). Accordingly NGOs and several political parties consider this as the preferred solutions. The cosmopolitan values are thus important for the parties and NGOs. However the Conservative Party and the Progress Party do not agree. The two parties in government prefer assisting refugees where they are through aid and by doing this assist more refugees. One may argue to help as many refugees as possible are also similar to cosmopolitan values. However the government clearly prioritizes communitarian rights and national interests. Assisting Syrians where they are indicates in other words avoiding an increasing number of Syrian refugees arriving to Norway. The numbers of Syrian transfer refugees accepted will reflect the balance between of communitarian interest and rights versus cosmopolitan right of transfer refugees. However the exact amount accepted that will indicate the importance of communitarian rights over cosmopolitan right and vice versa is difficult to proclaim. However, one may suggest by accepting 10 000 refugees cosmopolitan rights appear as prioritized in this example.

Moreover dilemmas may arise between communitarian national interests and cosmopolitan human rights when terrorist and other serious criminals arrive to western states. Brown (2011), Øyen (2013c) and Nerdal recognize dilemmas concerning terrorists arriving to a country like Norway. In Norway, Mulla Krekar is a prominent example. Based only on communitarian national interests and security, Krekar would have been deported because of his involvement in a terrorist organization (NOAS, 2013: 9). Additionally he is excluded from refugee status according to the refugee definition in the Refugee Convention, and article 33 does not protect him from being deported. However, because of an absolute protection provided by the cosmopolitan non-refoulement principle in ECHR article 3, Norway cannot deport Krekar without violating international obligations as well as national laws (Øyen, 2013a: 338). This highlight the crucial importance of cosmopolitan human rights of non-refoulement in a communitarian world. Despite communitarian national interests, the cosmopolitan right prevails

According to Gudbrandsen (2012: 46) “The politics of immigration can be seen as a struggle to find the balance between a sense of moral obligation and a need to control the inflows of people.” Tensions between the rights of refugees and displaced, opposed to the rights of sovereign states, offer a series of dilemmas. In national and international policy cosmopolitanism rights and communitarian rights are both important, the question remains how the rights ought to be balanced. Criticism is directed towards the Norwegian government and the political parties, despite attempts to balance the considerations. The Norwegian government and the political parties should act more moral and assist more displaced are suggested by some. While others argue national interest and considerations should be more emphasized. Evidently to balance considerations are challenging for both the government and the political parties.

8.0 Conclusion

The objective of this dissertation is to explore the national and international factors that influence refugee and asylum policy of the sitting Conservative coalition consisting of the Conservative Party and the Progress Party. The tensions between international cosmopolitan human rights and communitarian state interests have gained the main focus. These tensions and influences suggest what is important in national asylum and refugee policy.

Cosmopolitan international obligations constrain states and IOs try to persuade states to accept and provide favorable conditions for refugees as argued by constructivists.

Undoubtedly the government and the political parties are influenced by international obligations and the obligations are important in the refugee field and the Norwegian national law. Especially the Refugee Convention and the non-refoulement principle are significant. Additionally through cooperation with EU, Norway adheres to international obligations which are based in the cooperation. Moreover political parties refer to the obligations in the manifestoes or suggest on the party website that they want to comply with international obligations. This includes the Conservative Party and the Progress Party. Accordingly the parties accept cosmopolitan rights concerning refugees. However unlike the Conservative Party the Progress Party questions the relevance of the Refugee Convention and recognizes challenges with ECHR. Both parties prefer to help refugees where they are through aid. This suggests the importance of communitarian rights for both political parties.

International cosmopolitan obligations must be balanced against communitarian national interests. States are required to consider national interests and security when meeting refugees. Moreover several national factors are recognized as influencing the policy of the government and communitarian interests of the state. All are recognized as potentially important in various situations. More factors will most likely exist, as for instance voters, elite and church influence. However on the national level influence is recognized as parties influence on the refugee and asylum policy, and parties influence on each other. For instance in the immigration agreement the Conservative Party, the Progress Party, the Christian Democrats and the Liberal Party must compromise and balance interests in order to construct an agreement all accept. Moreover internal factors include public opinion. Most scholars perceive public opinion as important for the government when constructing public policy (Burstein, 2003; Gudbrandsen, 2010, 2012; Page & Shapiro, 1983). Less influence emerges from media according to several scholars, while NGOs like NOAS seek to influence policy and thus have political influence. On the issue of “long staying children” public opinion,

media and NGOs all appear to have some influence on the government. Additionally public opinion, NGOs, media, and parties are all influenced by international obligations. Governments and parties appear indirectly influenced by international obligations through NGOs, media and public opinion.

Multiple factors independently and intertwined influence the policy to the government and the parties. Cosmopolitan rights and international obligations do not only influence the government directly, but also indirectly through a number of different national and international factors. All can be important at different times and in different settings. However the world is communitarian according to Haddad (2008) and Benhabib (2004). National influences appear as essential in multiple situations. Gudbrandsen (2012: 25) argues that national policies are vital for understanding immigration policy, This is also significant in the research by UNHCR (2011a). Also states can interpret the conventions and obligations according to own desire. This suggests communitarian rights and national determination are important even though states are constrained by international obligations. As famously written by Wendt “anarchy is what states make of it” (Wendt, 1992: 395). One may also suggest based on the finding that “national refugee and asylum policy are what Norway makes of it”.

8.1 Further research

This research explores the tension between international cosmopolitan interests and national communitarian interests. More research can be conducted on influence from international obligations, most studies have focused on states compliance with international laws, but few have attempted to find out how it affects a specific government and political parties within a country. Little research about influence from international obligation may suggest the issue have been taken for granted, because states are clearly influenced by international obligations once they are ratified.

Moreover the connection between media, public opinion and NGOs should further be researched and how these three factors influence one another. NGOs and public opinion are seen as influencing the government while media only influence to a certain degree. One may further research how the governments are influenced directly and indirectly through these factors. Moreover I have suggested, in contrary to Gudbrandsen (2010; 2012), that a decrease in granting of asylum have not been evident with the Conservative government. This is suggested from the statistics from UDI. However because the government recently gained

power, it can be problematic to conclude the relevance of the research by Gudbrandsen at this point. Also the government may be conservative, but the parties in cooperation are perceived as more liberal in the asylum and refugee field

9.0 References

- Abbott, K. W. (1999). International Relations Theory, International Law, and the Regime Governing Atrocities in Internal Conflicts. *The American Journal of International Law*, 93(2), 361-379.
- Abbott, K. W., & Snidal, D. (1998). Why States Act through Formal International Organizations. *The Journal of Conflict Resolution*, 42(1), 3- 32.
- Adler, E. (1997). Seizing the Middle ground. *European Journal of International Relations*, 3, 319-364.
- Amnesty international. (2015). Amnesty International report 2014/15: The state of the world's human rights. London: United Kingdom: Amnesty International.
- Anderson, B. (2006). *Imagined Communities*: Verso Books.
- Bader, V. (1995). Citizenship and Exclusion: Radical Democracy, Community, and Justice. Or, What is Wrong with Communitarianism? *Political Theory*, 23(2), 211- 246.
- Bampton, R., & Cowton, C. J. (2002). The e-interview. *Forum: Qualitative Social Research*, 3(2), 165- 174.
- Barnett, L. (2001). Global governance and the evolution of the international refugee regime. *International Journal of Refugee Law*, 14(2/3), 238- 262.
- Barnett, M. (2011). Social Constructivism. In J. Baylis, S. Smith, & P. Owens (Eds.), *The Globalization of World politics: an introduction to international relations* (Vol. 5). The United States: Oxford University press.
- Barnett, M., & Finnemore, M. (2004). *Rules for the World: International organizations in global politics* United States of America: Cornell University Press.
- Bay, A. H., & Saglie, J. (2003). I verdens rikeste land: Pressens dekning av velferdsstaten 1969- 99: NOVA – Norwegian Social Research.
- Benhabib, S. (2004). *The Rights of Others: Aliens, Residents and Citizens*. Cambridge: Cambridge University Press.
- Berg, B. L., & Lune, H. (2013). *Pearson New International Edition: Qualitative Research Methods for the Social Sciences* (8 ed.). London, United Kingdom: Pearson Education Limited.
- Betts, A., & Loescher, G. (2011). Refugees in International Relations. In A. Betts & G. Loescher (Eds.), *Refugees in International Relations* (pp. 1- 27). United Kingdom: Oxford University Press.
- Blindheim, A. M. (2013). Frp stiller innvandringsultimat. *Dagbladet*. Retrieved 15.04, 2014, from <http://web.retriever-info.com/services/webdocument?documentId=00230520130605182054007&serviceId=2>

- Boswell, C. (2005). Migration in Europe. Report for UN Global Commission on Migration.
- Boswell, C. (2007). Theorizing Migration Policy: Is There a Third Way? *International Migration Review*, 41(1), 75-100.
- Brandenburg, H. (2002). Who Follows Whom? The Impact of Parties on Media Agenda Formation in the 1997 British General Election Campaign. *Harvard International Journal of Press/Politics*, 7(34), 34- 54.
- Brekke, J. P. (2004). The struggle for control : the impact of national control policies on the arrival of asylum seekers to Scandinavia 1999-2004. Oslo: Institute for Social Research.
- Brekke, J. P. (2011). Migrasjon og integrasjon: Norges tilknytning til EU. Oslo:: Europautredningen.
- Brekke, J. P., & Aarset, M. F. (2009). Why Norway? Understanding Asylum Destinations. Oslo: Institute for Social Research.
- Brekke, J. P., Aarset, M. F., Andenæs, K., & Lidén, H. (2010). Innvandring og flukt til Norge: En kunnskapsgjennomgang 1990-2009 (Vol. 2). Oslo: Institutt for samfunnsforskning.
- Brochmann, G., & Hagelund, A. (2010). *Velferdens grenser*. Oslo: Universitetsforlaget.
- Brochmann, G., & Hagelund, A. (2012). *Immigration Policy and the Scandinavian Welfare State 1945-2010*. Basingstoke: Pelgave Macmillan.
- Brochmann, G., & Rogstad, J. (2004). På sidelinjen? Vilkår for deltakelse i politikk og organisasjonsliv i Norge *Föreningsliv, makt och integration. Rapport från Integrationspolitiska maktutredningens forskningsprogram. Ds 2004:49*. (pp. 315-341). Stockholm: Regeringskansliet, Justitiedepartementet.
- Brown, C. (1992). *International Relations Theory: New Normative Approches*. Great Britain: Harvester Wheatsheaf.
- Brown, C. (2011). The Only Thinkable Figure? Ethical and Normative Approaches to Refugees in International Relations. In A. Betts & G. Loescher (Eds.), *Refugees in International Relations* (pp. 151- 168). United Kingdom: Oxford University Press.
- Brubaker, R. (1995). Modes of Immigration Politics in Liberal Democratic States. *International Migration Review*, 29(4), 903-908.
- Bryman, A. (2008). *Social Research Methods* (3 ed.). New York: Oxford University Press.
- Budge, I., & Bara, J. (2001). Manifesto- based research: A Critical review. In I. Budge, H. D. Klingemann, A. Volkens, J. Bara, & E. Tanenbuam (Eds.), *Mapping Policy Preferences: Estimates for Parties, Electors, and Governments 1945- 1998*. United States: Oxford University Press.
- Burstein, P. (1998). Bringing the Public Back in: Should Sociologists Consider the Impact of Public Opinion on PublicPolicy? *Social Forces*, 77(1), 27- 62.

- Burstein, P. (2003). The Impact of Public Opinion on Public Policy: A Review and an Agenda. *Political Research Quarterly*, 56(1), 29-40.
- Carnes, J. H. (1992). Refugees and the Limits of Obligation. *Public Affairs Quarterly*, 6(1), 31- 44.
- Chalk, P. (1998). The international ethics of refugees: A case of internal or external political obligation? *Australian Journal of International Affairs*, 52(2), 149-163. doi: 10.1080/10357719808445247
- Checkel, J. T. (1997). International norms and domestic politics: Bridging the rationalist-constructivist divide. *European Journal of International Relations*, 3(4), 473- 495.
- Christian democratic party. (2013). Political program The Christian Democratic Party of Norway (KrF) 2013-2017. Retrieved 12.03, 2014, from <http://www.krf.no/ikbViewer/page/krf/politikk/politisk-program>
- Conservative party. (2013). New ideas, better solutions: The Conservative Party's Parliamentary Election Manifesto 2013–2017. Retrieved 02.03, 2015, from <http://publikasjoner.hoyre.no/hoyre/163/>
- Conservative Party. (2014a). Integrering. Retrieved 16.03, 2015, from http://www.hoyre.no/www/politikk/hva_mener_hoyre_om/kommune_og_forvaltning/integrering/
- Conservative Party. (2014b). Norge har en plikt til å hjelpe mennesker i nød og til å gi beskyttelse fra forfølgelse. Retrieved 12.03, 2015, from http://www.hoyre.no/www/politikk/hva_mener_hoyre_om/kommune_og_forvaltning/innvandring/
- Dalland, O. (2012). *Metode og oppgaveskriving* (Vol. 5). Oslo: Gyldendal akademisk.
- Dunne, T., & Schmidt, B. C. (2011). Realism. In J. Baylis, S. Smith, & P. Owens (Eds.), *The Globalization of World Politics: An Introduction of International relations* (Vol. 5). United States, New York: Oxford University Press.
- Eide, M. (1984). *"Etter det vi forstår på politisk hold- " : politikere og massemedia*. Bergen: Universitetsforlaget.
- Fauchald, O. K., & Tuseth, B. S. (2012). *Global and regional treaties 2012*. Oslo: Institutt for offentlig rett v/Calax AS.
- Finnemore, M., & Sikkink, K. (1998). International Norm Dynamics and Political Change. *International Organization*, 52(4), 887-917.
- Finnemore, M., & Sikkink, K. (2001). Taking stock: The Constructivist Research Program in International Relations and Comparative Politics. *Annual Reviews Political Science*(4), 391- 416.
- Freeman, G. P. (1995). Modes of Immigration Politics in Liberal Democratic States. *International Migration Review*, 29(4), 881-902.

- Frost, M. (2009). Ethical Competence in International Relations. *Ethics & International Affairs*, 23(2), 91- 100. doi: 10.1111/j.1747-7093.2009.00200.x
- Gibney, M. J. (1999). Liberal Democratic States and Responsibilities to Refugees. *The American Political Science Review*, 93(1), 169-181.
- Goodman, R., & Jinks, D. (2004). How to Influence States: Socialization and International Human Rights Law. *Duke Law Journal*, 54(3), 621- 703.
- Gudbrandsen, F. (2010). Partisan Influence on immigration: The Case of Norway. *Scandinavian Political Studies*, 33(3), 248- 270. doi: 10.1111/j.1467-9477.2010.00250.x
- Gudbrandsen, F. (2011). Er pressen en politisk aktør i familieinnvandringspolitikken? . *nytt norsk tidsskrift*, 4(29), 370–383.
- Gudbrandsen, F. (2012). *Explaining Scandinavian Immigration Policy 1985-2010: Parties, Press, and Public Opinion*. (PhD), University of Bergen.
- Guest, G., Namey, E. E., & Mitchell, M. L. (2013). *Collecting Qualitative Data : a Field Manual for Applied Research*. London: Sage Publications, Inc.
- Guiraudon, V., & Lahav, G. (2000). A Reappraisal of the State Sovereignty debate: The Case of Migration Control. *Comparative Political Studies*, 33(2), 163-196.
- Gullestad, M. (2002). Invisible fences: egalitarianism, nationalism and racism. *Royal Anthropological Institute*, 8, 46- 63.
- Haddad, E. (2003). Refugee protection: a clash of values. *The International Journal of Human Rights*, 7(3), 1-26. doi: 10.1080/13642980310001726106
- Haddad, E. (2008). *The Refugee in International Society: Between Sovereigns*. Cambridge: Cambridge University Press.
- Hafner- Burtopn, E. M., & Tsutsui, K. (2005). Human Rights in a Globalizing World: The Paradox of Empty Promises. *American Journal of Sociology*, 110(5), 1373- 1411.
- Hathaway, J. C. (1991). Reconceiving Refugee Law as Human Rights Protection. *Journal of Refugee Studies*, 4(2), 113- 131.
- Heidar, K., & Saglie, J. (2002). *Hva skjer med partiene?* Oslo: Gyldendal Norsk Forlag.
- Holliday, A. (2007). *Doing and Writing Qualitative Research*. London: Sage.
- Huysmans, J. (2000). Migrants as a Security Problem: Dangers of 'Securitizing' Societal Issues. *Journal of Common Market Studies*, 38(5), 751- 777.
- Hylland Eriksen, T., & Neumann, I. B. (2011). Fra slektsgård til oljeplattform: Norsk identitet og Europa. *Internasjonal Politikk*, 69(3), 413-436.
- Ihle Steinstad, S. (2014). Enighet om løsning for lengeværende asylbarn. Retrieved 13.03, 2015,

from http://www.hoyre.no/www/aktuelt/nyheter_fra_hoyre/Enighet+om+l%C3%B8sning+for+lengvev%C3%A6rende+asylbarn.d25-T3drK1z.ips

- Jackson, R., & Sørensen, G. (2013). *Introduction to International Relations: Theories and Approches* (5 ed.). United Kingdom: Oxford University Press.
- Jastram, J., Achiron, M., & UNHCR. (2001). Refugee protection: A Guide to International Refugee Law. Retrieved 11.02, 2015, from <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=3d4aba564&query=refugee%20protection>
- Johansen, P. A. (2014). Flyktninger med disse sykdommene fikk nei. *Aftenposten*. Retrieved 22.03, 2015, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=020002201408191926312&serviceId=2>
- Johansen, P. A., & Ruud, S. (2014). Norge sier nei til flere syke syriske flyktninger. *Aftenposten*. Retrieved 22.03, 2015, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=020002201406161847092&serviceId=2>
- Joppke, C. (1998). Why Liberal States Accept Unwanted Immigration. *World Politics*, 50(2), 266-293.
- Kongslid Hillestad, L. (2015). Hareide plukker ut noen heldige FAKTA kvote- flyktninger: Debatten om kvoteflyktninger. *Dagbladet*. Retrieved 07.05, 2015, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=055007201505071BDB696E33C9A7CA206375229C56A2AB&serviceId=2>
- Konstad, M., & Ørvik, C. (2013). Fullt sprik om innvandring. *Dagbladet*. Retrieved 12.03, 2015, from <http://web.retriever-info.com/services/webdocument?documentId=00230520130717184236952&serviceId=2>
- Lester, E. (2005). A Place at the Table: The Role of NGOs in Refugee Protection: International Advocacy and Policy-Making. *Refugee Survey Quarterly*, 24(2), 125- 142. doi: 10.1093/rsq/hdi030
- Lia Solberg, K. (2015). Norge kan bruke glemt lov for å hjelpe Syria-flyktninger. *Aftenposten*. Retrieved 12.05., 2015, from <http://web.retriever-info.com/services/webdocument?documentId=00858420150510227991957&serviceId=2>
- Liberal Party. (2013). Venstres stortingsprogram 2013- 2017. Retrieved 12.03, 2014, from <http://www.venstre.no/files/sentralt/sentralt/Stortingsvalgprogram2013-2017.pdf>
- Liberal Party, Conservative Democrats, Progress Party, & Conservative Party. (2014). *Avtale og gjennomføringspunkter om utlendingsfeltet fremforhandlet av Venstre, Kristelig Folkeparti, Fremskrittspartiet og Høyre*. Venster.no: Retrieved from http://www.venstre.no/files/sentralt/asylavtalen_h_frp_krf_v_270214.pdf.

- Loescher, G. (2001). The UNHCR and World Politics: State Interests vs. Institutional Autonomy. *International Migration Review*, 35(1), 33-56.
- Mearsheimer, J. J. (1995). The False Promise of International Institutions. *International Security*, 19(3), 5-49.
- Meld. St. 9. (2009- 2010). *Norsk flyktning- og migrasjonspolitik i et europeisk perspektiv*. Justis- og politidepartementet: Retrieved from <https://www.regjeringen.no/nb/dokumenter/Meld-St-9-2009--2010/id597820/?ref=search&term=>.
- Menz, G. (2009). *The Political Economy of Managed Migration: Nonstate Actors, Europeanization, and the Politics of Designing Migration Policies*. Oxford: Oxford University Press.
- Mohn, S. B., Ellingsen, D., Solheim, Ø. B., & Torgersen, K. (2014). Et marginalt problem- Asylsøkere, ulovlig opphold og kriminalitet.: Oxford Research
- Moravcsik, A. (2000). The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe. *International Organization*, 54, 217-252. doi: 10.1162/002081800551163
- Narud, H. M., & Valen, H. (2004). Partiprogram og velgerappell. In B. Aardal, A. Krogstad, & H. M. Narud (Eds.), *I valgkampens hete*. Oslo: Universitetsforlaget.
- Narud, H. M., & Valen, H. (2007). *Demokrati og ansvar : politisk representasjon i et flerpartisystem*. Oslo: Damm
- Newman, E. (2001). Human Security and Constructivism. *International Studies Association.*, 2, 239–251.
- Nielson, D. L., & Tierney, M. J. (2003). Delegation to International Organizations: Agency Theory and World Bank Environmental Reform. *International Organization*, 57(2), 241 - 276.
- NOAS. (2013). Asyldebatten og sentrale asypolitiske hendelser 1980-2013. Retrieved 04. 03, 2015, from <http://www.noas.no/wp-content/uploads/2013/06/Notat-om-asyldebatten1.pdf>
- NOAS. (2014). NOAS kommenterer asylavtalen mellom Høyre, Frp, Venstre og KrF. Retrieved 05.03, 2015, from <http://www.noas.no/asylavtalen-mellom-hoyre-frp-venstre-krf/>
- Norwegian Refugee Council. (2013). Flyktningsregnskapet: Alt om mennesker på flukt verden over 2013. In T. Brekke & R. Skretteberg (Eds.). *Flyktninghjelpen*
- Nyere, P. (2010). Abject Cosmopolitanism: the politics of protection in the anti-deportation movement. *Third World Quarterly*, 24(6), 1069-1093. doi: 10.1080/01436590310001630071

- Page, B. I., & Shapiro, R. Y. (1983). Effects of Public Opinion on Policy. *The American Political Science Review*, 77(1), 175- 190.
- Parker, O., & Brassett, J. (2005). Contingent Borders, Ambiguous Ethics: Migrants in (International) Political Theory. *International Studies Quarterly*, 49(2), 233–253.
- Progress Party. (2013a). Handlingsprogram 2013-2017 Retrieved 12.03, 2014, from <http://www.frp.no/nor/mener/En-enklere-hverdag/Prinsipp-og-handlingsprogram>
- Progress Party. (2013b). Prinsippprogram 2013 - 2017. Retrieved 13.03, 2015, from file:///C:/Users/ingeborg/Downloads/Prinsippprogram%202013%20-%202017.pdf
- Progress Party. (n. d.-a). Fremtidsrettet asyl- og innvandringspolitikk. Retrieved 13.03, 2015, from <http://www.frp.no/nor/Aktuelt/Fremtidsrettet-asyl-og-innvandringspolitikk>.
- Progress Party. (n. d.-b). Innvandringstempoet må ned. Retrieved 13.03, 2015, from <http://www.frp.no/Aktuelt/Innvandringstempoet-maa-ned>
- Rapley, T., & Jenkins, K. N. (2010). Document analysis. *International Encyclopedia of Education*, 380-385. doi: 10.1016/B978-0-08-044894-7.01522-0
- Risse-Kappen, T. (1991). Public Opinion, Domestic Structure, and Foreign Policy in Liberal Democracies. *World Politics*, 43(4), 479- 512.
- Rogstad, J. (2002). Makt i det flerkulturelle arbeidslivet. In G. Brochmann, T. Borchgrevink, & J. Rogstad (Eds.), *Sand i maskinereiet: Makt og demokrati i det flerkulturelle Norge* (pp. 174-204). Oslo: Gyldendal akademiske.
- Sandberg, P. (2013a). Bryter ingen konvensjoner ASYL. VG. Retrieved 29.03., 2014, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=05501620130802DOC6B7M6ENXMZT7EIMAOMA&serviceId=2>
- Sandberg, P. (2013b). Vi tar innvandringsdebatten: FRP-RAPPORT VG. Retrieved 29.03, 2014, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=05501620130904DOC6BOKKAC1WITPTGYWBD6&serviceId=2>
- Sassen, S. (2000). Regulating Immigration in a Global Age: A New Policy Landscape. *Annals of the American Academy of Political and Social Science*, 570, 65- 77.
- Schmidt, M. G. (1996). When parties matter: A review of the possibilities and limits of partisan influence on public policy. *European Journal of Political Research*, 30, 155-183.
- Schou, I. (2014). Syriske flyktninger. Retrieved 27.03, 2015, from <http://www.hoyre.no/Syriske+flyktninger.d25-T2ZnO4D.ips>
- Seilskjær, M. (2013). Velgerguide om asylpolitikk 2013. Retrieved 22.01., 2015, from <http://www.noas.no/wp-content/uploads/2013/08/Bakgrunnsnotat-velgerguide1.pdf>

- Silverman, D. (2013a). *Doing qualitative research* (4 ed.). Los Angeles, California: Sage.
- Silverman, D. (2013b). *A very short, fairly interesting and reasonably cheap book about qualitative research* (2 ed.). Los Angeles, California: Sage.
- Simmons, B. A. (2000). International Law and State Behavior: Commitment and Compliance in International Monetary Affairs. *The American Political Science Review*, 94(4), 819-835.
- Simmons, B. A. (2009). *Mobilizing for Human Rights International Law in Domestic Politics*. United States of America: Cambridge University Press.
- Simonnes, K. (2013). I stjålne klær? En analyse av endringer i Høyres, Arbeiderpartiets og Fremskrittspartiets innvandrings- og integreringspolitikk1. *Norsk Statsvitenskapelig Tidsskrift*, 2(29).
- Soguk, N. (1999). *States and strangers: refugees and displacements of statecraft* (Vol. 11). Minneapolis, Minn: University of Minnesota Press.
- Stanghelle, H. (2013). I stjålne klær fra Frp. *Aftenposten*. Retrieved 12.03, 2015, from <http://web.retriever-info.com/services/archive/displayDocument?documentId=020002201309021408922&serviceId=2>
- Statham, P., & Geddes, A. (2006). Elites and the 'Organised Public': Who Drives British Immigration Politics and in Which Direction? *West European Politics*, 29(2), 248-269. doi: 10.1080/01402380500512601
- Tannenwald, N. (2005). Ideas and explanation: Advancing the theoretical agenda. *Journal of Cold War Studies*, 7(2), 13- 42.
- Tansey, O. (2007). Process Tracing and Elite Interviewing: A Case for Non-probability Sampling. *Political Science & Politics*, 40(4), 765- 772. doi: 10.1017/S1049096507071211
- Thielemann, E. R. (2003). Does Policy Matter? On Governments' Attempts to Control Unwanted Migration *Discussion Paper*, 9.
- UDI. (2003). Årsrapport 2002. Retrieved 05.04, 2015, from http://www.udi.no/globalassets/global/aarsrapporter_i/aarsrapport-2002.pdf
- UDI. (2009). Årsrapport 2008. Retrieved 05.04, 2015, from http://www.udi.no/globalassets/global/aarsrapporter_i/aarsrapport-2008.pdf
- UDI. (2015). Tall og Fakta 2014. Retrieved 12.03, 2015, from <http://www.udi.no/globalassets/statistikk-og-analyse/tall-og-fakta-2014/tall-og-fakta-2014.html>
- UDI. (n.d.). Statistikk og analyse: Årsrapporter. Retrieved 01.04, 2015, from <http://www.udi.no/statistikk-og-analyse/aarsrapporter/>

- UNHCR. (2010). Convention and protocol relating to the status of refugees. Retrieved 21.01.2015, 2015, from <http://www.unhcr.org/3b66c2aa10.html>
- UNHCR. (2011a). Safe at last? Law and Practice in Selected EU Member states with respect to Asylum- Seekers Fleeing Indiscriminate Violence: UNHCR.
- UNHCR. (2011b). UNHCR Resettlement Handbook: Division of International Protection. Retrieved 05.03, 2015, from <http://www.unhcr.org/46f7c0ee2.html>
- UNHCR. (2012). The state of the world's refugees: In search of solidarity Retrieved 11.02, 2015, from <http://www.unhcr.org/4fc5ceca9.html>
- UNHCR. (2013a). Ensuring protection of people of concern. *Global Raport 2013*. Retrieved 11.02, 2015, from <http://www.unhcr.org/539809d6b.html>
- UNHCR. (2013b). Hosting the world's refugees. *Global Raport 2013*. Retrieved 11.02, 2015, from <http://www.unhcr.org/539809daa.html>
- UNHCR. (2014a). UNHCR urges Europe to do more to help Syrian refugees. Retrieved 20.03, 2015, from <http://www.unhcr.org/53bfcd969.html>
- UNHCR. (2014b). World Refugee Day: Global forced displacement tops 50 million for first time in post-World War II era. Retrieved 23.03, 2015, from <http://www.unhcr.org/53a155bc6.html>
- UNHCR. (2015). Contributions to UNHCR, For Budget Year 2014, As at 31 December 2014. Retrieved 05.04, 2015, from <http://www.unhcr.org/536c960a9.html>
- United Nations. (1980). Vienna Convention on the law of treaties. Retrieved 18.04, 2015, from <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>
- Utenriksdepartementet. (2015). Norge i Europa: regjeringens arbeidsprogramm for samarbeid med EU 2015 Retrieved 20.04, 2015, from https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/europapolitik/eu_arbeidsprogram_2015.pdf
- Vevstad, V. (2013). Felles yttergrenser og felles europeisk asylsystem. In Ø. D. Øyen (Ed.), *Lærebok i utlendingsrett*. Oslo: Universitetsforlaget.
- Volckmar, N. (2014). Et blå-blått utdanningspolitisk skifte? *Norsk Pedagogisk Tidsskrift*, 6, 482- 495.
- Walgrave, S., Soroka, S., & Nuytemans, M. (2008). The Mass Media's Political Agenda-Setting Power: A Longitudinal Analysis of Media, Parliament, and Government in Belgium (1993 to 2000). *Comparative Political Studies*, 41(6), 814-836.
- Walzer, M. (1983). *Sphers of Justice: A Defense of Pluralism and Equality* New York: Basic Books.
- Weiner, M. (1995). *The Global Migration Crisis: Challenges to States and to Human Rights*. New York: HarperCollins College Publishers.

- Weiner, M. (1996). National Sovereignty and the Control of Immigration. *International Migration Review*, 30(1), 171-197.
- Wendt, A. (1992). Anarchy is what States Make of it: The Social Construction of Power Politics. *International Organization*, 46(2), 391- 425.
- Wendt, A. (1994). Collective Identity Formation and the International State. *The American Political Science Review*, 88(2), 384-396.
- Wendt, A. (1998). On Constitution and Causation in International Relations. *Review of International Studies*, 24, 101-117.
- Wendt, A. (2000). On the via Media: A Response to the Critics. *Review of International Studies*, 26(1), 165- 180.
- Øyen, Ø. D. (2013a). Internasjonal beskyttelse. In Ø. D. Øyen (Ed.), *Lærebok i utlendingstrett* (pp. 336- 355). Oslo: Universitetsforlaget.
- Øyen, Ø. D. (2013b). Opphold på humanitære grunnlag. In Ø. D. Øyen (Ed.), *Lærebok i utlendingsrett* (pp. 315- 331). Oslo: Universitetsforlaget.
- Øyen, Ø. D. (2013c). Retten til flyktningstatus og asyl. In Ø. D. Øyen (Ed.), *Lærebok i utlendingsrett* (pp. 177- 312). Oslo: Universitetsforlaget.



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