Encountering the Magical State

Experiences of Asylum-Seeking Children in the Margins of the Norwegian State

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Abstract

At the time of writing this thesis, a group of asylum-seeking children often referred to as October children was turning 18 and facing deportation to Afghanistan as their temporary residence permits were about to expire. Situating this study in the urgency imposed by the so-called refugee crisis of 2015, I explore the encounters between asylum-seeking children and the Norwegian state in its margins. Using a theoretical framework built on the concepts of rational and magical forms of governance, I follow what I call *the trajectory of exclusion* through which the state, gradually removes asylum-seeking children from its realm. Starting by showing how the Norwegian state renders the children's needs for protection illegitimate, I argue that it moves on to exercise a subtle form of control by maintaining the emptiness of children's everyday life and an ostensible sense of distance. Left with little agency and power over their own lives, the resolute children who had overcome an untraceable number of obstacles on their flight to the North disappear into the despair of mental health problems such as depression, aggression and suicidality. In a situation where the political will enters not only legal frameworks, but human lives as well, the Norwegian state takes on a new, magical form that I aim to uncover throughout this thesis.

Key Words: asylum-seeking children, state, magic, rational, exclusion, margins

Acknowledgements

Abbreviations

BUFDIR – The Norwegian Directorate for Children, Youth and Family Affairs

BUP - Norwegian Child and Adolescent Psychiatry

CRC – Convention on the Rights of the Child

EMA – unaccompanied minor asylum seeker

EU – European Union

GDP – Gross Domestic Product

HIV - Human Immunodeficiency Virus

Landinfo – The Norwegian Country of Origin Information Centre

RC – Refugee Convention

NGO – Non-governmental organization

NSD – Norwegian Centre for Research Data

UAM – Unaccompanied Minor Asylum Seekers

UDI – The Norwegian Directorate of Immigration

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

UNDP – United Nations Development Programme

UNE – Immigration Appeals Board

Norwegian Terminology

Ankomstmottak – Arrival Asylum Centre

Barneloven – The Children Act

Barnevernet – Child Welfare Services

Barnevernloven – The Child Welfare Act

Enslig mindreårig – Unaccompanied minor

Fremmedkrigere – Foreign Fighters

Fylkesmannen – The County Governor's Office

Grunnloven – Constitution

Innstramningspolitikk – Stricter Asylum Policy

Innstramningstilltak – Stricter Asylum Regulation

Innvandringsregulerende Hensyn – Immigration Control Regulations

Kontrollregler – Rules of Control

Menneskerettloven – The Human Rights Act

Mottak – Asylum Centre

Oktoberbarna – October Children

Omsorgssenter – Care Centre

Politiets utlendingsenhet – Police Foreign Unit

Rimelighetsvilkåret – Reasonableness Criterion

Sterke Menneskelige Hensyn – Strong Humanitarian Considerations

Særlig Tilknytning til Riket – Particular Connection with the Realm

Transittmottak – Transit Asylum Centre

Utlendingsloven – Immigration Act

Verge – Legal Guardian

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Preamble

As I set off to write this thesis, the Norwegian Ministry of Justice and Social Security issues a circular[1] demanding that deportations of more than 100 Afghani children are put on hold Mørk (2017). The Norwegian Directorate of Immigration (UDI) and the Immigration Appeals Board (UNE) are to reassess the asylum applications of asylum-seeking children that resulted in temporary residence permits or were referring the applicants to internal displacement in the period from October 1st 2016 to that day.

Receiving this news on November 14th 2017, I am overwhelmed with both hope and scepticism. Reaching out to my informants, I receive messages of excitement blended with fear that the new period of uncertainty brings. What does this resolution mean in practice? Will the cases of the children in question be reassessed based on their age when they first arrived? Or will they be reassessed based on their current age meaning they will no longer have the status of a child? When will they be reassessed? Where will those children live in the meantime? Which services will they have access to? What will the new assessment criteria be? When will they know what their future is going to look like?

Having been a part of this field for about six months now, I notice how these questions mirror the worries expressed by both refugee children themselves and their legal guardians or representatives regarding previous stages of the asylum seeking process. The state and its overwhelming power create a cloud of uncertainty over the lives of children seeking protection. The feeling that life, once again, is set on hold and defined by others than the children themselves, together with the uncertainty of the future challenge the newly born sense of hope. The dynamics behind actions like these and their consequences are some of the main issues this thesis explores. In that light, the decision of November 14th makes a valuable starting point for the examination of the practices undertaken by the Norwegian state.

Furthermore, the interplay of politics and law, reflected in the discussion on the temporary stop of deportations, sets the scene for this. The proposition to reassess the asylum application came unexpectedly in the Norwegian Parliament given the political

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[1] Norwegian: rundskriv; "Circulars are information from the ministry to affected parties about interpretations of laws and regulations" (Government.no n.d.)

climate at the time. Only few days prior to the release of the circular in question the ruling parties together with the biggest opposition party, Norwegian Labour Party, were all on the same page advocating strongly for the continuation of a strict and restrictive asylum policy (Ask and Barstad 2017, Simonsen 2017). As the borderlines between the legal and the political shape my analyses, acknowledging the unexpected shift that results in the development of a new reality for asylum-seeking children becomes another important aspect I take with me when starting to write and develop this thesis.

From the moment I entered this field of research I knew how politically and emotionally congested it was. From spring 2017 until autumn 2017, I have been partially driven by the desire to do something for the children whose voice I felt was not heard enough. Uncertainty and political climate have shaped the responses of my informants, my interview guides and now my analyses. Acknowledging this I now set off to write this thesis hoping to maintain a non-victimizing, human approach while analysing real lives and childhoods.

1. Meeting the Magical Nordic State

"We have to open our eyes. The day goes very heavy and sad for them. Full of stress and afraid. And they are very worried. My friend, most of them, children run away from Norway today. Because they have temporary residence permits in Norway. It is unfair and it is an abuse of children seeking refuge. We are breaking children's rights. Why should that happen? Why do we want it to be like that?[2] "

- From Shahu's speech at the demonstration against deportations of October children to Afghanistan

In autumn of 2017 a lot of attention was directed at the Norwegian state – from newspaper articles and opinion pieces written by experts in the field (NRK.no 2017) to demonstrations (Hellstrand and Christensen 2017, Dagsavisen 2017) and international human rights organizations' reports (Amnesty International n.d.). The two-year anniversary of the 2015 refugee crises simultaneously marked the expiration date of October children's lives in Norway. October children [Oktoberbarna], as the media often refers to them, are children who arrived to Norway seeking asylum in the autumn of 2015 (Tjernshaugen and Olsen 2017). In the absence of valid documents of identification, their date of registration as asylum-seekers was set as their date of birth (ibid.). This meant that, for those whose age was estimated at 16 in 2015, the autumn of 2018 marked coming of age and losing the status of children.

Reflecting the highly contested field of asylum policy, the identity of children seeking asylum is embedded and trapped "in two political identity discourses" (Vitus and Liden 2010, 63) – that of *children* and of *asylum-seekers*. While the former carries a set of rights and a need for protection, the latter "activates discourses of border control" (ibid.) invoking concepts of suspicion, restrictiveness and even detention. Caught in between two potentially mutually exclusive, and yet interconnected discourses, from the moment of crossing its territorial borders, asylum-seeking children meet the Norwegian state in different ways. In order to introduce the field, I use the two identities as a starting point, showing how the encounters with the state vary depending on which becomes the

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[2] Personal translation from Norwegian

prevalent one – that of children or of asylum-seekers. Exploring both the symbolic and the practical significance each identity has in the encounter with the state, I present how they carry the different rights and hence different treatment and position in the Norwegian society. However, before delving into the different encounters, allow me to introduce briefly the magical state that shapes lives and childhoods of those who engage with it.

1.1 The magical state

Upon crossing the territorial borders, asylum-seeking children enter the sovereign Norwegian territory. Scoring high on international reports as the best country to live in (Garfield 2017) based on the human development index (United Nations Development Programme n.d.), or even happiness index (World Happiness Report n.d.) Norway represents a form of Nordic utopia anyone could strive for. It scores high on access to education and health services and low on poverty and inequality (United Nations Development Programme n.d.) maintaining thus the image of a well-functioning welfare state. However, the borders that have to be crossed to enter such a utopia, do not only delimit the territory of the Norwegian state, they also tell the story of access to or exclusion from the benefits represented in the rankings. Understanding who can access the merits of the welfare, and how the access is gained, runs along the magical lines of nation, citizenship and belonging.

Other than the Sami minority group, Norway as a nation state has until recently been characterized as a "homogenous population both linguistically and ethnically" (Melve 2004, 66). Such historical development allowed for the creation of an imaginary of homogenous peoples (Hylland Eriksen 1993) residing behind the state borders aligning thus the state with the nation. As many other nation-states, Norway thus achieved not only territorial sovereignty, but "homogeneity of culture, memory, and identity" (Meusburger, Gregory, and Suarsana 2015, 22) on which a collective sense of identity is based. However, in the changing global landscape, where mobility of goods and people are a regular occurrence, what are the implications of the existence of such borders? Moreover, how does the existence of such borders affect asylum-seeking children?

The existence of such an "imagined community" (Anderson 2006) based on a collective sense of identity opens up for both practical and symbolic state governance (Hansen and Stepputat 2001) and a differentiation among those who belong and are on the inside, and those who do not. As an inevitable aspect of the common identity, the "demarcation between 'Us' and the 'Others' " (Meusburger, Gregory, and Suarsana 2015, 46), in the light of migration becomes another way to draw borders and boundaries between those on the inside and those on the outside. Due to the dual identity of both children and asylum-seekers, children seeking refuge become a challenge to such an establishment of boundaries, residing thus in the margins of the state, as I will show in my analyses.

The practical aspect of state borders invokes the welfare state as "a source of Norwegian pride and identity and, as a national symbol and rhetorical trope, all-important for the legitimacy of many state initiatives" (Ugelvik 2013, 184). Built "as a constellation of (1) political ideals about a well-functioning society, (2) institutional mechanisms, and (3) principles for the allocation of resources" (ibid.), the welfare state interacts and interferes with the lives of those individuals on the inside of its borders. Here, it is not the territorial borders that define access but rather borders defined through citizenship (Hagen and Hippe 1993, 87). Another "tool of collective identity promotion" (Sicakkan 2004, 29), citizenship today is intrinsically linked to the question of residency, more specifically, it is dependent on permanent residency (25). Meeting the demand for permanent residency, while simultaneously only being having the possibility of temporary residence, asylum-seeking children meet the Norwegian state in a form different from what is indicated in the indexes of happiness or development. Interlaced with the nation state and running along the same lines as its borders, the welfare state introduces these children to the paradox of safety and expulsion (Ugelvik 2013, 185). Moving carefully between its rational and magical forms of governance (Das 2004), the Norwegian state maintains a central place in the spaces where lives of asylum-seeking children are being defined and managed.

1.2 Children in the Norwegian welfare state

"We are also a nature, we, the little ones, two feet tall.

The father country we rejoice in, and there are many of us.

Our hearts know, our eyes see, how good and beautiful Norway is,

Our tongues sing a song among many songs to Norway's honour."

<div align="right">

Henrik Wergeland

"The National Hymn of the Small Boys"

[Småguttensnasjonalsang][3]

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In the Norwegian society, children occupy a special place. From the children's parade on the national day, to the existence of the Ombudsman for Children, the youngest society members are both protected and celebrated. When reading about children's rights globally, in the same manner as with the index of happiness or human development, it is not uncommon to find Norway on the very top of the lists. The rankings usually draw on statistics in child mortality, quality of life, education, rights and freedoms for the calculations. The latest ranking of countries according to their respect for the Rights of the Child (Humanium.org 2017) places Norway on the 11th place with an index of 9.15 out of 10. The Business Insider (Weller 2017), on the other hand, puts Norway in the first place on the list of best countries in the world for children to grow up in.

1.2.1 Children as a symbol

As the verses of Wergeland's poem indicate, children in Norway have an important symbolic role. Tracing this symbolism back to the ideas of nation and state, it is possible to find intrinsic links between children's position in the Norwegian society and building of the nation in the process of seeking independence (Gullestad 1997, Hylland Eriksen 1993). In a similar manner, Witoszek (1998, 142) argues that children, alongside the important issues of the nation and nature are what constitutes the national

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[3] Translation from Gullestad (1997, 19)

self-image in Norway. The presence of the children in the National day parade on the 17th of May, as main figures, is no coincidence (ibid.). Compared to the celebrations of the national day in other countries, in Norway it is children, and not tanks or military that are the main part of the parade; they walk, they don't march waving the flags. The fact that this is the heart of the 17th of May parade is a matter of national pride (Gullestad 1997). Another important group that marks the parade on the 17th of May are the *russ* – Norwegian students who are about to graduate from high school and join the parade in celebration of that occasion. Closing an important chapter of their lives, they are a group that is in a phase of transition, from one life stage to another, from children to adults (Witoszek 1998, 148). As the main actors of the parade, the *russ*, together with the younger children mark the celebration of the national day showing, thus, what an important position children, no matter age, have in the Norwegian society. Furthermore, with the 17th of May being the National day, children's prominent role points out their important role in the imagery of the collective national identity.

Alongside the Norwegian flag or the national costume, children and ideas of childhood participate in the forging of a homogenous national identity (Gullestad 1997, 24). With children at the forefront of the national identity, thoughts of racism and wrong militaristic or nationalistic intentions (ibid.) are not associated with the Norwegian society of goodness. However, the collective national identity again introduces the differentiation between 'the other' and 'us'. It was only in the 1960s, that children from ethnical minorities were allowed to join the parade (Witoszek 1998, 143). These children participate in the parade waving the Norwegian flag and singing Norwegian songs (ibid.) thus following well-established tropes that define the nation. In this way, children who might differ from the existing imaginary enter the space of national importance on predefined conditions reinforcing thus the well-established boundaries of nation and state.

1.2.2 **The practical encounter**

Coupled with the important symbolic position in the society, children in Norway also enjoy practical benefits and rights. The welfare system takes special care of vulnerable and so-called "weak" groups such as children (Kjønstad and Syse 2012, 476). When ensuring that interests of such groups are taken care of, some basic values need to be

respected. As Kjønstad (ibid.) points out, these values are grounded in the basic principles of justice and fairness and cover the respect for autonomy, privacy, integrity, protection from harm and discrimination, beneficence, justice, fairness, sanctity of life efficiency. Some of these values are explicitly incorporated in relevant laws, while others are assumed.

In addition to national laws and regulations such as The Children Act [Barneloven] and The Child Welfare Act [Barnevernloven], there are international conventions and frameworks that shape national legislation. In 1999, Norway adopted the Human Rights Act [Menneskerettloven] (Kjønstad and Syse 2012, 486), which incorporates the UN Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural rights. Later, the UN Convention on the Rights of the Child (CRC) was also added to this act (ibid.). Specific articles of the international conventions, through their incorporation in the Norwegian law, protect and ensure the rights of all individuals.

The CRC plays a significant role in both national and international legal arenas. In Norway, it "has a semi-constitutional legal status, positioned between the Constitution and ordinary parliamentary legislation in Norway's legal hierarchy"(Liden, Stang, and Eide 2017, 2). The four main principles it is grounded on are the right to non-discrimination, best interests of the child, the right to participate and be heard and the right to development (Kjønstad and Syse 2012). Given the important status children have in the Norwegian welfare system, the early ratification of CRC comes as no surprise. In 1991, Norway's ratification was one of the first in the world (Stang 2012, 84) and in 2003 it entered national legislation.

Other instances that protect children's rights in Norway are the Constitution [Grunnloven] and the Ombudsman for Children. The later was established in 1981, and made Norway the first country in the world with such an institution (Liden, Stang, and Eide 2017, 2). The former addresses the rights of the children in Article 104 and places special importance on the best interest of the child as a primary consideration in issues regarding children (ibid.). Incorporation of children's rights in the Constitution shows again the particular link between children and the nation. Together, the established mechanisms testify to the practical aspects of governance and Norway's dedication of

special attention to children as a societal group that needs protection and care both through national and international legal frameworks.

Looking both at the symbolic and practical position children have in the Norwegian society and its welfare system, one could assume that also children seeking asylum are well taken care of. However, asylum-seeking children are not just children; they are also asylum-seekers. What challenges does that pose? Moreover, how does the identity of asylum-seekers affect their access to the welfare state?

1.3 The other children

While the identity of being a child implies a reference to "subjects as bearers of individual rights" (Vitus and Liden 2010, 63), the identity of asylum-seekers is often connected to the objectification of a group of people moving in crowds or flows (ibid.). While the duality of identity in itself is not necessarily problematic, the process of transformation from rights carrying subjects to illegitimate objects, as I will show in the following chapters, can strip asylum-seeking children of their basic rights and result in grave consequences. So what is the difference in the practical and symbolic encounters of children asylum-seekers with the state? What symbolic meaning is hidden behind it?

1.3.1 The practical encounter

Just as children, asylum seekers in Norway are defined and protected through a set of rights incorporated in laws and international conventions. Seeking asylum carries the notion of needing protection in a country other than one's country of origin "for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection" (United Nations 2017). However, in order to attain refugee status, the state granting asylum needs to acknowledge the reasons behind the fear as real. The uncertainty hidden in the interpretation of such reasons, as I will show throughout my analyses, becomes a defining aspect of asylum-seeking children's lives rendering them vulnerable while providing new channels of power to the Norwegian state.

Status as refugees, rights and type of protection is defined through the 1951 Refugee Convention (Stang 2012, 86). Similarly, to the CRC, the Refugee Convention serves as

an international framework that guides national legislation. While Norway has ratified the Refugee Convention, and the definition of who a refugee is in the Immigration Act [Utlendingsloven] is based on the Refugee Convention's definition, the Convention itself does not have precedence over the Norwegian national legislative framework (87). In this regard, the Refugee Convention differs from the CRC and the Human Rights Convention that are fully incorporated in the national legislation (ibid.). Finally, the Refugee Convention cannot impose on nation-states an obligation to grant asylum, nor does it imply that refugees have the right to a permanent residence permit after a certain amount of time (ibid.). As I will show in chapter four, the conflicting issues of ambivalence of international protection juxtaposed to the protection of national interests run along the same borderlines of access and exclusion where asylum-seeking children spend their childhoods.

At the same time, children seeking refuge also carry the identity of being children, which invokes a potentially different treatment. Due to circumstances such as war or prosecution, some children leave their homes and become refugees. While some start their refugee journey together with their families, others find themselves alone in that endeavour. According to UNHCR (1997), "[a]n unaccompanied child is a person who is under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is "separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so". Referring to asylum-seeking children throughout this thesis, I refer to the group of unaccompanied children between the age of 15 and 18. I choose this specific group of asylum-seeking children, as they, due to a differentiated treatment that I will elaborate on in my analyses, illustrate a type of borders of access and exclusion that I explore in this study.

In the process of applying for asylum in Norway, children are independent legal actors both when acting as a part of a family, and alone (Liden 2017, 86). In regard to refugee situations, their rights cover the right to information in a legal case and information on the progress in the case, the right to express opinion and be heard in the legal proceedings, the right to file a complaint and receive guidance in the process of filing a complaint etc. (ibid.). Intertwined in the legal framework are not only international conventions and protocols that guarantee the rights of each child, but also nation state's immigration laws (101). While the Refugee Convention, or even more importantly The

Convention on the Rights of the Child are to ensure adequate protection of the children, national legislation ensuring state interests opens up for exceptions. The rules of control [kontrollregler] as defined in the Child Welfare Act, apply in cases where damage to other individuals or material goods can be inflicted (Kjønstad and Syse 2012, 480). Under such circumstances, the right to autonomy and integrity of an individual can be breached (ibid.). Furthermore, as I will demonstrate in the following section, similar control regulation is an essential part of the Immigration Act ensuring the protection of national interests when necessary. Acknowledging this, the question of different treatment becomes the one of direction – different for the benefit of asylum-seeking children or for the Norwegian state?

1.3.2 Asylum-seekers as a symbol

While the symbolism of children, as shown earlier, carries the notions of innocence, vulnerability and the need for protection, the symbolism of being asylum-seekers paints a rather different picture. During 2015, Europe witnessed a high influx of refugees and migrants arriving both over land and by sea. Fleeing war torn countries such as Syria, Afghanistan, Iraq and others, millions of people searched for refuge in their neighbouring countries, or in Europe. Across Europe, media coverage of the situation provided titles varying from "refugee crisis" to "Muslim migrant invasion of Europe". On one hand, one could hear calls for donations and help, on the other, fear, xenophobia and the rising need for protecting one's own territory. Opinions and the political climate across Europe and Norway were changing greatly.

Story behind the threat – small numbers, big fears

From the 1.3 million people who applied for asylum across the EU, Norway and Switzerland in 2015 (Connor 2016), only 30 110 people (Østby 2015) applied for asylum in Norway. One third of the asylum applications in Norway that year was filed by children (Figure 1), and more than 50% of the children were unaccompanied minors (BUFDIR 2017). In Norway, this was the highest number of asylum applications filed by unaccompanied minors ever (ibid.) and four times that of the previous year (Tjernshaugen 2016).

Årlig antall asylsøkere som oppga at de var under 18 år, og antall asylsøkere totalt.
2007-2016

Asylsøkere totalt   Asylsøkende barn

Kilde: UDIs statistikk om innvandring
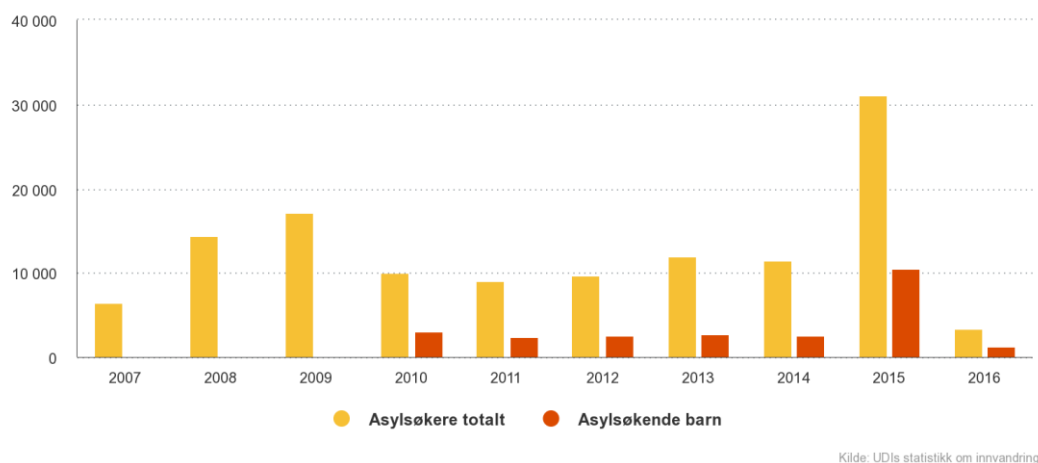
Figure 1- Number of asylum applicants in total and number of asylum applicants under 18 in Norway[4]

Though the numbers appear high and out of control for a country like Norway with the population of just over five million people (Statistisk Sentralbyrå 2018), in order to put things into perspective, it is essential to mention a few global facts. According to UNHCR statistics (2016) in 2015, it was the developing countries that hosted around 86% of the global refugee population. Furthermore, the same report (ibid.) shows that Lebanon was the country that took in most refugees compared to the national population. Turkey alone took in almost twice as many refugees as EU, Norway and Switzerland together – 2.5 million, while Pakistan took almost an equal number as these three European actors – 1.2 million people (ibid.). Finally, slightly more than half of the refugee population in 2015 were children – 51% (ibid.). Given this perspective, it is difficult to see the notion of crisis portrayed by the European states concerning the high influx of refugees during 2015.

Difficult as it is to compare countries based on the size of their territory, population, GDP and other factors all in once, it is possible to see that numbers expressed in thousands in a country like Norway, are significantly lower compared to the numbers expressed in millions in countries like Pakistan and Turkey. With the international context in mind, one might wonder whether autumn of 2015 in Norway really constitutes a crisis.

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[4] Number of asylum seekers per year who declared themselves as under 18 and the total number of asylum seekers; yellow – total number of asylum seekers; red – asylum-seeking children (UDI n.d.-b)

However, the numbers of 2015 which were perceived as staggering in Norwegian statistics led to significant changes in country's asylum policies, especially concerning children. The symbolism of being an asylum-seeker carrying the notions of threat and crisis dominated the already contested field of asylum policy. Throughout the European Union, the line between the respect for internationally agreed human rights and protection of national interests was blurred (Liden 2017, 48). Caught in between the two identities, in this thesis I explore the encounters of asylum-seeking children with the Norwegian state in its new, magical form.

1.4 Setting the scene – The enforcement of stricter asylum regulation in Norway

Before moving on to introducing my theoretical framework and methodology, I find it important to set the scene that shaped not only my fieldwork and the writing of this thesis, but also the lives of so many individuals seeking asylum in Norway between 2015 and 2018. Justified through the discourse of urgency and danger posed by the refugee crisis, the Norwegian state made and continues to make changes in the asylum regulations ensuring that the policies become more restrictive. The so-called refugee crisis had posed the question of priority of protection – is it children's lives or the system that comes first?

The symbolic of the change

At the time of writing this thesis, the Norwegian government launched a website under the title 'Stricter asylum regulation in Norway'. The goal, as written on the government's webpage (Government.no 2017) "is to tell people not to embark on a long and dangerous journey to seek asylum in Norway if they do not have a right to protection." With the possibility to translate the website into different languages such as Arabic, Farsi or Tigrinya, the message is meant to reach very specific target groups. While a rhetorical study focused on the language, signs and colours of the webpage could constitute an independent study, I choose to focus on the use of a state channel to send such a clear message across.

The launch of the website is a part of a strategy towards enforcing stricter asylum regulation that has been in place since 2015 [innstramningspolitikk or innstramningstilltak] (Regjeringen.no n.d.). Forming an interactive timeline (ibid.) where the changes in the legislation are displayed in a chronological order, the state introduces the enforcement of stricter asylum policy making its stance on the topic clear. The changes presented are directed, not only at asylum-seekers, but also at the citizens with temporary permits, families seeking reunification or individuals applying for Norwegian citizenship. Furthermore, low number of asylum applications is presented as evidence of success and, partially because of the enforcement of stricter regulation. Liden (2017, 101) argues that this was a clear reactive solution to the high number of refugees that arrived in 2015. The goal of the change in policy was two-fold; firstly to increase the number of returns of asylum seekers, and secondly to decrease the number of asylum permits given (ibid.). As the changes in the legal frameworks affect asylum-seeking children as well, the dilemma of what comes first arises– state interests or the rights of asylum-seeking children. This symbolic change in the legislation sets the tone for this thesis. Arriving to a country that sends a clear message of hostility, the question posed is whether there is any potential future for asylum-seeking children to dream of at all?

The practical changes

Legal mechanisms for enforcing the new policy are grounded in the Immigration Act. Changes in the law, such as the removal of the reasonableness criterion [rimelighetsvilkåret][5] and the enforcement of limited permits were a result of a shifting political climate and a reactive policy after the 'refugee crisis'. Though both of these changes in regulation will be addressed in detail in later chapters, it is important to mention in what way they contributed to the new and stricter asylum regulation.

The reasonableness criteria was a key part of §28 of the Immigration Act and meant that internal displacement could be considered if "the claimant, in the context of the country concerned, can lead a relatively normal life without facing undue hardship" (Schultz 2017). Once removed, the assessment of internal displacement could be done based

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[5] UNHCR's document "The Internal Flight Alternative in Norway: the law and practice with respect to Afghan families and unaccompanied asylum-seeking children" refers to rimelighetsvilkåret as 'reasonableness' criteria (Schultz 2017)

solely on criteria of availability and safety (Liden 2017, 101). Given that countries such as Afghanistan are considered safe (104), which was the country of origin for most unaccompanied minors in Norway at the time, the prospects of receiving asylum became poorer. Interestingly enough, when advising Norwegian travellers on the safety situation in different countries, Afghanistan is marked unsafe with safety operations taking place in most parts of the country (Regjeringen.no 2018). The differentiation of what constitutes danger and for whom poses the question of the value of human life that I will further explore throughout this study.

Still, if the asylum claim is denied based on the need for protection and §28, applicants' claims have to be assessed based on §38 of the Immigration Act in regard to strong humanitarian considerations [sterke menneskelige hensyn] or if the foreign national has a particular connection with the realm [særlig tilknytning til riket] (Liden 2017, 103). When considering the claim under §38, special attention needs to be dedicated to the consideration of immigration control regulations [innvandringsregulerende hensyn] which ensure safety of the society at large. This means that national interests in regard to immigration can take precedent over individual rights and needs for protection.

The second mechanism for ensuring stricter asylum regulation was the enforcement of temporary and limited permits. As Liden (2017, 107) points out, several changes such as the introduction of limited permits in situations where asylum-seeking children cannot provide a valid ID, the possibility of revoking the permit if the conditions in the country of origin change and the provision of temporary permits until the children turn 18 were a part of the new policy. Temporary permits until the age of 18 are given to those applicants in whose cases it is assessed that there is no need for protection. Since the person in question does not have a caregiver in their country of origin, they cannot be returned while underage (ibid.). The latter group is the one this thesis looks at most in regard to their precarious position in the Norwegian society, being neither in, nor outside in the period of waiting for their 18th birthdays.

Though Norway did witness a significant decline in the number of asylum applications filed by unaccompanied minors in 2016 (Liden, Stang, and Eide 2017, 1), it is not clear whether and to what extent the stricter asylum policy has contributed to that. While many European countries including Norway were working on regulating national policies and closing borders, on a transnational level, the EU had been working on

solutions across borders. In the period in question, an agreement between Turkey and EU had been made allowing the EU to return Syrian refugees who found themselves on Greek islands back to Turkey, while simultaneously taking in a Syrian quota refugee from Turkey (Liden 2017, 55). Though this agreement considered only Syrian refugees, it resulted in great numbers of refugees being locked in in Greece without the possibility of moving further into Europe. Due to this mixed number of factors it is difficult to say that the national change in policy in Norway was the reason for a decrease in the number of asylum applications. What is, however, possible to analyse, and what I will focus on, is how a carefully designed process of exclusion is enforced through legal frameworks and legitimized through expert knowledge. Moreover, I will explore the implications it has had, and continues to have on the wellbeing of asylum seeking children.

Neither inside nor outside

The duality of identities – children and asylum seekers – as well as the duality of symbolic and practical languages of governance (Hansen and Stepputat 2001), creates an ambivalent space in which the lives of asylum-seeking children are negotiated. While, as children, they have the right to protection and hold an important position in the Norwegian society, the borders of citizenship delimit this space leaving them in the margins. As asylum-seekers, on the other hand, they encounter new borders where the interests of the sovereign Norwegian state interfere with their rights to protection, leave them once again in the margins. In a society with a reputation of ensuring children's rights, I see the different treatment of asylum-seeking children as a point of departure for this study.

2. Theoretical Framework

As discussed in the previous chapter, Norwegian state through its welfare order regulates the behaviour and protects the rights of those within its borders. Children, as a vulnerable group enjoy certain privileges, primarily in terms of protection. Asylum-seeking children, upon crossing the borders defining the territorial grounds of the Norwegian state, do not enjoy the same rights and privileges. Neither inside, nor outside, they exist only in the margins. In this space where asylum-seeking children struggle to gain access, the concept of the state, as well as the concepts of borders or margins of the state, become a useful tool for understanding and analysing processes through which exclusion happens.

In order to conceptualize a study of the borders, I build a multi-layered theoretical framework introducing first the state as the focal point in whose margins the analyses take place. Starting from Scott's (1998) definition of the state as utilitarian, and in need to control and thus maintain its sovereignty, I go on to explore additional views on state's modes of governance. Using Hansen and Stepputat's (2001) *practical* and *symbolic languages of governance*, and Das's (2004) *rational* and *magical forms of state presence*, I direct my analyses at the borders at the oscillation between the different forms of such state actions and the consequences it has for asylum-seeking children. Furthermore, in order to understand the state in a changed context imposed by the refugee crisis of 2015, I introduce Agamben's (2005) concept of *state of exception* in order to situate my analyses in the right environment where law-making takes place. Moving towards the concept of the borders, I opt for a conceptualization of the margins slightly different from that of spatial and social marginalization. Describing the margins of the Norwegian state as the space where the lives of asylum-seeking children take place, I outline the analytical chapters this thesis is built upon. Finally, I address the complex question of researching the lives of the vulnerable, explaining where I stand, and how I move from there in order to answer the research questions I propose.

2.1 Meeting the state

Whether one consciously thinks about it or not, the state in its different forms and manifestations is always present. In the form of fear from being caught for not having a ticket on the metro, through selecting a general practitioner or the very practice of voting, the state shapes our experiences, practices and even the way we see ourselves – as offenders, citizens, children or immigrants. The signature of the state (Das 2004), sometimes elusive, like in the fear of being caught, and sometimes clearly visible like in the presence of police at border control becomes familiar to each person through different lived experiences. Lives of asylum-seeking children are defined, decided upon and later lived through a series of encounters with the Norwegian state in its different forms, and primarily in its margins. In order to be able to understand where the margins of the state are and where these encounters happen, it is first necessary to define the state.

Giving a historical overview of the development of the theories of state from the ancient times of Plato and Aristoteles, enlightenment philosophers such as Rousseau or Lock to classical theories of Weber and Marx, would go beyond the scope of this thesis and will therefore be left out. I will outline the approach I take starting with Scott's view of the state as utilitarian in need of managing and controlling its subjects. I will then move on to consider alternative views of the state as an embodiment of both practical and symbolic authority used for governing its citizens and maintaining the imagery of society.

Scott (1998) sees the state as the force behind making the unruly and chaotic, legible and ordered. He argues that the state, with different degrees of success, creates "a terrain and a population with precisely those standardized characteristics that will be easiest to monitor, count, assess and manage" (81). This is done by deploying mechanisms of simplification and abstraction, through which the state can create simple representations of complex social realities. In practice, this can be illustrated through the example of unaccompanied minors being represented, through the process of simplification, as a homogenous group with equal backgrounds, personal stories and needs when assessing their asylum applications. Furthermore, through the process of abstraction, they are no longer perceived as children seeking refuge but as legal objects

– unaccompanied minors – that can be understood and managed through the application of correct regulation. As I will show later, in this process of simplification, details from each and every individual story are rendered invisible, leaving only the measurable factors such as age and country of origin in play. The simplified image of a troublesome story is then assessed against the backdrop of the unified regulatory framework and an illegible subject becomes a legible object whose future can further be determined by new forms of laws and regulations.

According to Scott, the purpose of state's mechanisms of legibility such as simplification and abstraction is three-fold: appropriation, control and manipulation (Scott 1998, 77), and the process of making the society legible ensures effective state intervention. State intervention in his view can take the form of both "plunder and public welfare" (78) In this view of a society, populations on the move represent a great challenge in achieving the goal of controlling and managing societies. For the modern Norwegian state, children seeking refuge become a challenge standing in the way of successful state intervention in the form of governing resources of the welfare state. The objectification of their lives through utilitarian state mechanisms applied for the purpose of exclusion from the welfare services becomes therefore of great interest for this thesis.

2.1.1 **The practical and the symbolic state**

Scott's approach to the state as utilitarian and in need to control and manage the society helps explain many of the mechanisms deployed by the state in both ordinary and extraordinary situations. However, the focus on the practical aspects of governance leaves little room for understanding the latent presence of the state. Hansen and Stepputat (2001, 7) show how the state, especially after 1940 in the form of nation-state, was viewed "as an expression of effective territorial sovereignty". However, while they acknowledge the *"practical languages of governance"* such as territorial sovereignty, they expand their approach to understanding the state and include "*symbolic languages of authority*". The practical languages of governance, align with Scott's view of the state and cover "the assertion of territorial sovereignty by the monopolization of violence by permanent and visible military and police forces; (2) the gathering and control of knowledge of the population—its size, occupations, production, and well-being—of this territory; and (3) the generation of resources and ensuring the

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reproduction and well-being of the population: in brief, development and management of the 'national economy'." (ibid.) On the other hand, the symbolic languages of authority, reproduce the image of the state as the authoritative centre of the society by using mechanisms such as: "(1) the institutionalization of law and legal discourse as the authoritative language of the state and the medium through which the state acquires discursive presence and authority to authorize; (2) the materialization of the state in series of permanent signs and rituals: buildings, monuments, letterheads, uniforms, road signs, fences; and (3) the nationalization of the territory and the institutions of the state through inscription of a history and a shared community on landscapes and cultural practices" (8). As I will show through my analyses, asylum-seeking children meet the Norwegian state both through its practical languages of governance in the form of police at border crossings, and through its symbolic authority in the form of legal decisions imposed on them. The encounters with the state in its different manifestations shape the experiences of asylum-seeking children from the moment they approach the border to the day when they turn 18 and when their fears and hopes are intertwined and reflected in the awaiting of the decision made by the distant and yet close authority of the state.

2.1.2 **The rational and the magical state**

Encounters with the Norwegian state mentioned above do not only shape the experiences of asylum-seeking children during the months or years they spend in Norway. They rather have permanent consequences on their development, wellbeing and mental health. Addressing state's modes of action, Das (2004, 226) develops the concept of a magical presence of the state as opposed to the rational presence. The latter refers to state's presence "in the structure of rules and regulations embodied in the law, as well as in the institutions for its implementation" (225). The former, however, is used to address the state in its mundane yet illusive presence in the everyday life of a society.

Creating a difference between the fictions of the state and the magic of the state, Das develops four determinants for understanding the rationale behind the use of the term *magic*: 1) using magic leads to real consequences, 2) the use of different forces is not transparent, 3) the practice of magic is closely linked to danger due to the merging of power and obscurity, 4) it results in vulnerability of those who engage in it. Taking the

example of asylum-seeking children in Norway, one can see the encounters with the rational state through the application of laws and regulations by institutions such as UDI. Looking at the magical aspect, the same legal frameworks, as I will show in the analyses, become blurry in situations such as that of assessing whether a child seeking refuge has enough reason for seeking asylum in Norway. In the framework of the four determinants the encounter between asylum-seeking children and the magical state is visible in, 1) the consequences of the decision made are real and affect the present and the future of the child in question, 2) the forces used such as the importance of scientific knowledge shown through age testing in determining the age of the applicant are not transparent, 3) the power to make the decision is completely in the hands of those who apply the magic leading to a feeling of danger from being rejected, 4) the vulnerability manifested in the power difference between those whose future is being determined in the process and those with the power to make that decision.

While the interactions with the state, whether in its rational or magical, symbolic or practical form affect lives of regular citizens as well as migrants or refugees, the importance of these encounters for the latter is manifested in the lack of choice and profound need to be accepted and rendered legible. In this way, upon crossing the borders the state represents both a horizon of hope and the greatest fear for asylum-seeking children.

2.2 State of exception

The Norwegian state as it is theorized by Scott (1998), Das (2004) and Hansen and Stepputat (2001) has so far has been seen in the light of conditions of peace and stability. However, when faced with the discourse of emergency such as the refugee crisis, a sudden change of rules of the game happens. In the state of panic, I look at the rendering of human life as fitting or not and leading to a creation of space, or multiple spaces on the borderlines, in which an entire group of people spends years in a place of nowhere, in between the legal and the political.

The situation that asylum-seeking children in Norway are facing today, as I showed in the first chapter, is a direct result of what has been termed "refugee crisis" in 201. In that light, analysing the encounters with the state through the framework given so far is

insufficient in that it lacks the context of panic and emergency. Das (2004, 245) points out the importance of "the concept of panic to signify the nature of collectivity to be managed by a rational bureaucracy […]." This nature of collectivity becomes of great importance for understanding the approach taken by the Norwegian state when faced with an increased number of refugees seeking asylum in autumn 2015. Under the cloak of urgency, to protect the society and the welfare that belongs to those on the inside, the question of collectivity and collective identity ensured drawing a clear border between 'us' who belong and 'them' who were a potential threat. Given that a significant percentage of asylum-seekers arriving were children, who in Norway, as I have shown earlier, enjoy special rights and benefits, it becomes of special interest to understand the mechanisms for creating the difference, as well as their consequences while staying within the legal framework.

In this context of an ostensible threat to a society, Agamben's (2005) theory on the state of exception provides a good framework for understanding the deployment of measures both within and outside of law. He argues that the state of exception is situated in a "no-man's land between public law and political fact and between the juridical order and life […]" (Agamben 2005, 1). Through the example of the Weimar Constitution in the period of Nazi Germany, he shows how the state of exception can become a legitimate means for the elimination of vast groups of citizens deemed unfit for the system. Though the state of exception provides a space for taking certain actions, it in itself is not a type of law, "rather, insofar as it is a suspension of the juridical order itself, it defines law's threshold or limit concept" (Agamben 2005, 4). The enforcement of stricter asylum regulation, as shown in the previous chapter, illustrates the law's threshold in that it turns political will into legal fact.

As I will show through my analyses, the state of exception provides a framework for understanding actions undertaken by the state, such as changes in the law and legislation which lead to a rendering of children's lives as illegitimate and, thus, not worthy of the same treatment those inside the welfare system are granted. In the state of exception, asylum-seeking children become other children upon whom a different set of rules and regulations can be exercised. However, even as other children, the identity of being children prevents the state from denying them entrance at the time of arrival. It is here that through the state of emergency, a carefully designed process through which

removal is facilitated over a period of time is introduced. Between the legal and the political, asylum-seeking children spend years in the margins waiting for removal from the Norwegian state and wasting not only time, but childhoods and lives as well.

2.3 On the borderlines

As the story of the journey that many asylum-seeking children can tell is filled with suspense and fear of border crossing, smuggling, boat journeys and hiding in trunks of cars, one can wonder what the concept of borderlines means in the lives of these children. Are borderlines the crossing from Turkey to Greece somewhere in the Mediterranean between the horror of the Middle East and safety of Europe? Or is borderlines the crossing over the border between Sweden and Norway on a bus without papers? Or maybe is borderline the process of living on a temporarily restricted permission waiting for life either to begin or end? In this study, I approach borders and life on borderlines as more than just administrative determinants. I see them as a gate that can have different and selective mechanisms of opening and closing, as determining belonging and exclusion, as a grey zone in which the rules of the game are different depending on the role you are given.

It is indisputable that borders as an administrative tool are important to the state. For the practical state, borders ensure territorial sovereignty and help in keeping count on who enters and exits and for what reason. However, while borders do play a significant role in establishing and maintaining order, they also "produce political subjectivity, identity, morality, and goodness; they do not just bound, but invent the societies they delimit"(Franko Aas and Bosworth 2013, 34). The identity and morality of the Norwegian society as defined in the first chapter is thus created through the borders of the sovereign Norwegian territory establishing a clear line for who and on what terms is welcome inside. The "[b]oundaries between the inside and the outside of the state" do not only regulate physical entrance or exit from the territory, but also address the "questions about who belongs and what kind of rights they deserve" (23). Starting from the physical movement across the administrative borders of the Norwegian nation state, unaccompanied minor asylum seekers' encounter with the state becomes loaded with meaning. As they cross the territorial border they enter the legal system of a Nordic state that has been desired for so long; the longing for safety and protection comes to an

end as the process of seeking asylum starts. Being on the inside and being granted the rights that those on the inside have appears to finally be within reach. However, as my informants emphasize, being on the inside does not mean belonging, nor does it entail the same rights, care or protection that Norwegian children get. In this study, the lower quality of care provided to asylum-seeking children becomes a sign of the grey zone or the borderline situation that these children find themselves in. Therefore, it is not enough to discuss borders in their administrative form, but rather it is necessary to take a deeper look at them as the edge or the boundary of a society that can be used as a mechanism of marginalization and exclusion.

Looking at the state from the lens of contemporary thought, Das and Poole (2004, 29) argue that the state has

"[...] a life of its own, distinct from both governors and the governed. Because of this abstraction, the state can claim allegiance from both sides. When the relation between the state and the population that is governed is imagined as one in which the state embodies sovereignty independently of the population, it becomes authorized to maintain certain spaces and populations as margins through its administrative practices."

Situated in the context of the state of exception which "represents the inclusion and capture of a space that is neither outside nor inside" (Agamben 2005, 35), life in the margins becomes a defining characteristic of asylum-seeking children's lives.

2.3.1 **Margins**

Margins, as conceptualized though the state of exception, do not only exist on the borders of the state, they can also "like rivers, run through its body." (Das and Poole 2004, 13). Throughout the different encounters with the Norwegian state, such as the asylum interview or access to health services, asylum-seeking children live their lives in the margins, meeting thus the state in a new and different form. Working on the concept of marginality, Gurung and Kollmair (2005, 10) use the definition of International Geographical Union and define it as

"the temporary state of having been put aside of living in relative isolation, at the edge of a system (cultural, social, political or economic), ... in mind, when one excludes certain domains or phenomena from one's thinking because they do not correspond to the mainstream philosophy"

Marginalization of asylum-seeking children is temporary in that it lasts from the moment they cross the state borders until their status is determined and they are either forced to leave the country or are granted refugee status.[6] The relative isolation is manifested in the secluded location of asylum centres and the lack of participation in the society, disguised in the ambiguity of waiting for a definite answer and legal status. Finally, life at the edge of the system becomes visible in the selective application of rights, such as the right to care and protection or the right to be heard and not just listened to such as in the case of asylum interviews. As seen in the previous chapter, due to its international commitments such as the Convention on the Rights of the Child and the Refugee Convention, the state of Norway cannot deny asylum-seeking children entrance into its territory, nor can they be removed through deportation. However, entrance does not mean membership nor inclusion and subjects "are made to learn the gap between membership and belonging" (Das and Poole 2004, 17) through their experience of state practices. Marginality is often understood through two conceptual frameworks: societal and spatial (Gurung and Kollmair 2005).

Societal marginalization focuses primarily "on human dimensions such as demography, religion, culture, social structure (e.g., caste/ hierarchy/ class/ ethnicity/gender), economics and politics in connection with access to resources by individuals and groups" (Gurung and Kollmair 2005). When looking at asylum-seeking children, the access to resources refers to their access to the society as a whole and welfare services in particular. In terms of the human dimensions, asylum-seeking children are not defined through their individual or group characterises, but in relation to how the state sees them. As Eide and Liden (2012, 183) argue, while the categories such as unaccompanied minors through which the status of asylum-seeking children is defined can be of use for the authorities and civil servants, they also render them as a homogenous group not taking into account individual backgrounds and life situations.

The second dimension of marginality according to Gurung and Kollmair (2005, 10) is spatial marginality which "is primarily based on physical location and distance from centres of development, lying at the edge of or poorly integrated into system". Asylum centres for unaccompanied minors, given their isolation, distance from bigger cities and difficulty of access, become an illustration of the spatial marginality of asylum-seeking

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[6] Whether marginalization ends upon receiving residence permit as a refugee is debatable, but remains out of the scope of this thesis.

children. However, while both societal and spatial marginalization can provide valuable entrance points for understanding asylum-seeking children's existence in the margins of the Norwegian society, I choose to turn toward a slightly different perception of the margins, their meaning and the power to influence human life.

2.3.2 Analyses along the margins

Das and Poole (2004) argue that "the margins of what is accepted as the territory of unquestioned state control" are the place where order and law-making are being changed and reinvented. Against the backdrop of the state of exception that in itself imposes a form for changing and reinventing law-making, I see the three conceptualizations of margins that Das and Poole (2004) offer as particularly helpful for the analytical framework I adopt in this study. I introduce the three analytical chapters this study is built upon while exploring the conceptual framework for studying the margins.

Firstly, Das and Poole (2004, 9) see the margins in the struggle of the state to consolidate its "control over subjects, populations, territories and lives". In this struggle, issues of legibility and illegibility emerge opening up for the possibility of experiencing the state in its magical form (Das 2004) where uncertainty results in the vulnerability of those living in the margins, and new channels of power for the state. This form of margins runs through the first analytical chapter *Spaces of (il)legitimization* where asylum-seeking children encounter the Norwegian state through the writing practices ingrained in the language, laws and regulations and supported by expert knowledge. In the transformation from unruly subjects to illegitimate objects, asylum-seeking children are controlled "through special laws as populations on whom new forms of regulation can be exercised" (Das and Poole 2004, 12). Shore and Wright (1997, 4) attribute a special role in building identities, not just to the state, but to policy specifically. They argue that it is "[t]hrough policy, the individual is categorized and given such statuses and roles as 'subject', 'citizen', 'professional', 'national', 'criminal' and 'deviant'" (ibid.). How is the process of (il)legitimization designed? What mechanisms are used to legitimize it? And what identities does it imply on asylum-seeking children? Engaging with the concept of margins as a struggle between issues of legibility and illegibility, I answer these questions in chapter four.

Another way of conceptualizing the margins is "as peripheries seen to form natural containers insufficiently socialized into the law" (Das and Poole 2004, 9). It is here that the state attempts "to 'manage' or 'pacify'" the unruly populations or individuals (ibid.). This concept of margins informs the formation of my second analytical chapter *Spaces of control*. While in some ways close to the ideas of spatial marginalization, asylum centres represent more than socially and geographically secluded spaces. While embodying the state's need to control and pacify the unruly populations, asylum centres, as I show in my analyses, operate from a distance maintaining an elusive sense of freedom. I explore this conceptualization of the margins by engaging with Foucault's (1984) concept of heterotopias as real places juxtaposed to imagined spaces of no real place – utopias. Materialized in the real places, or containers, the margins here, as I will show, operate as temporary spaces of control with a different sublime purpose. In what ways is control established and maintained; with what purpose; and what are the consequences are some of the questions chapter five provides answers to.

Finally, the third approach to margins "engages with the space between bodies, law and discipline" (Das and Poole 2004, 10). With state sovereignty transcending the power exercised over territorial borders, and entering the very bodies of the population, new, *biopolitical* [emphases added] subjects of governance are created (ibid.). Aligning the analyses along this approach with the margins, in the third analytical chapter *Spaces of despair*, I engage with the idea of exercising sovereign power over the bodies of asylum-seeking children. Showing the consequences state practices can have on the well-being and mental health of asylum-seeking children, I invoke another figure introduced by Agamben (1998) – Homo Sacer.

For Agamben (1998), Homo Sacer is a figure representing "bare life" – life stripped off value that can be disposed of by anyone without soliciting any punishment; it represents "a person that can be killed, but not sacrificed" (Das and Poole 2004, 11). Engaging with the figure of Homo Sacer as a marginal form of life, I raise the questions of what constitutes life worth living, what sovereignty over life and death entails and what the sublime purpose and consequences of the encounters between the magical Nordic state and asylum-seeking children are.

In the ambitious endeavour to tell the story that spans beyond a simple story of exclusion, I engage with the different conceptualizations of margins in the three

analytical chapters. In no way exhaustive, the questions and arguments I raise aim to show a systemic denial of asylum-seeking children's right to live through a carefully designed process of state practices, intertwined in the practical and the symbolic modes of governance.

2.4 Analysing the lives of the vulnerable

While the state and its modus operandi are essential in understanding what constitutes "the centre of a social system, " or "the place from which the rest of the social system is ruled, guided, and coordinated" (Meusburger, Gregory, and Suarsana 2015, 2), it is equally important not to forget what lies on the opposite end – lives of vulnerable children. Looking at a different group of vulnerable children – children heads of households in Zimbabwe - Roalkvam (2005, 211) puts forward important analytical questions: "How are we to consign the new and often close-up descriptions of human vulnerability and human suffering? How can we describe this in a manner that also affords us the possibility of analysing it?" These two questions shape the formation of my analytical framework as a constant reminder that the analyses of this study is not focused on unknown objects hidden behind technocratic terminology, but on real childhoods that are rendered unfit through a carefully crafted framework.

Power dynamics and interactions between the state under potential threat and asylum-seeking children in need for protection run through the very core of the issue on which this study aims to shed light. Creating contested spaces, understood as "product[s] of interrelations and interactions" (Meusburger, Gregory, and Suarsana 2015, 4), the state deploys different mechanisms of (il)legitimization, control and removal from the Norwegian state creating, thus, what I term *trajectory of exclusion*. While not extensive, it is these spaces that provide an exquisite vantage point for examining the practices that take place in the margins, enabled by the different modes of governance the state takes through its magical and rational presence and wrapped in the discourse of emergency. Following this trajectory of exclusion as a step by step process, I situate my analyses in the different spaces in which children's lives are negotiated and transformed.

While analysing the data collected through fieldwork and relevant secondary sources, I noticed three important spaces - Spaces of (il)legitimization, Spaces of control and

Spaces of despair – in which interactions between the state and refugee children take place. Aligned along the three conceptualizations of the margins, they produce a new form of social order where children's lives are rendered illegitimate and strapped of any value ready to be disposed of, the moment the boundary of coming of age is crossed at their 18th birthday. In each of these encounters with the state, the voice of refugee children is present, but not loud enough, mentioned yet overheard, acknowledged and not given credit. When going through each of these spaces, refugee children loose not only their history, individuality and dignity, but also their freedom and finally hope.

Situated in Norway, a country known for its care for children, my main aim is to understand how is the removal of asylum-seeking children facilitated.

In order to answer the main research question, I formulate three more concrete sub-questions:

1. How are asylum-seeking children's lives in Norway defined and delegitimized?

2. What do asylum-seeking children's lives in Norway look like?

3. What consequences does this have on the future and well-being of asylum-seeking children?

As explained earlier, the analytical framework through which I answer the aforementioned question runs along the three conceptualizations of the margins, forming thus the three chapters – Spaces of (il)legitimization, Spaces of control and Spaces of despair. Each of the chapters starts with a quote from Tayeb Salih's (1991) "Season of migration to the North" as an illustration of the struggle hidden in the story of leaving what one considers home in search of a new life in the North. However, before proceeding to the analyses and answering the research question, I will first elaborate more on the topic of researching a vulnerable group by disclosing my methodology.

3. Research in the Margins

As shown in the previous two chapters, this study addresses ethically sensitive research topics. The vulnerability of the target group, both due to their status as children and as asylum-seekers, demands that the research is done with great care in order not to objectify nor victimize the children in question. At the same time, political and emotional contestation of the asylum field, also require methodological tools that provide a lens for a critical examination of life in the margins. In order to achieve such an ambitious goal, in addition to the theoretical framework, I developed an ethnographically inspired methodology that I will introduce in this chapter. Furthermore, the methodological framework developed for this study, was not only used to compile data, but also as a complementary tool to the theoretical framework when analysing and writing. Given that the difficulty of access became a defining aspect of my fieldwork, rather than the exception or a sporadic challenge, I use this experience to portray the life in the margins through the tensions between access and exclusion.

3.1 Constructivist research as a starting point

When working on the research proposal for this thesis, one of my main hypotheses was that the field I was about to enter was closed and difficult to gain access to. As I started the research journey, I found this hypothesis not only correct, but an understatement to what in practice entering this field entailed.

Following the typology of Moses and Knutsen (2012), I adopted a constructivist research methodology, acknowledging that the world we experience is a construct of our perceptions, positionality, context, timing and many other variables that cannot be measured in a positivist methodological manner. Therefore, I entered the field with an awareness of my positionality, while staying observant for the potential biases. Given the highly political nature of the topic, I believe that it is the constructivist approach that can best capture the fine details of hidden political and cultural meanings, changes in legislation, legal frameworks etc.

Due to the difficulty of access to the field of asylum-seeking children in the greater Oslo area and the short amount of time, the methodology applied is that of qualitative

research inspired by ethnography and accompanied by in-depth interviews and document analyses. As the topic of unaccompanied minors has been much debated in the Norwegian media and politics in the past few months, special focus is dedicated to the ethnographic experience of the researcher and the practices of attending demonstrations, meetings and conferences related to the topic, spaces in which interviews take place etc., in order to better illustrate the underlying political and societal tensions that define the field. Furthermore, the rationale is to connect the difficulties I encountered while trying to reach informants to the argument that the space in which asylum-seeking children find themselves is located in the margins and that is both difficult to enter and exit depending on whether one is locked inside or outside.

3.2 Ethnography as a framework

Ethnography inspired fieldwork was conducted over a period of six months in the greater Oslo area with the goal of gaining insight into the spaces where lives of asylum-seeking children in Norway are negotiated. Clifford and Marcus (1986, 2) give a definition of ethnography as

"[…] actively situated between powerful systems of meaning. It poses its questions at the boundaries of civilizations, cultures, classes, races, and genders. Ethnography decodes and recodes, telling the grounds of collective order and diversity, inclusion and exclusion. It describes processes of innovation and structuration, and is itself part of these processes."

As my hypothesis was that asylum-seeking children find themselves in the margins of the Norwegian society and that the reasons behind that are entangled in a delicate net of legal, political, societal and other constraints, I decided that ethnography was the research method that would provide me with the most comprehensive results. As the time for conducting fieldwork was limited, I also incorporated in-depth interviews and documents' analyses into the research methodology.

For the purpose of this thesis, I chose to focus on asylum-seeking children between the age of 15 and 18, living in so-called regular asylum centres for unaccompanied minors. As I will show in the next chapter, this specific group was excluded from the reform in 2008 where the responsibility for asylum-seeking children under the age of 15 was transferred to the Child Welfare System. Discrimination that runs along the lines that

divide children younger and older than 15 into different legal entities, became my primary point of interest in state practices in the margins leading, thus, to the choice of researching this particular group. Unfortunately, during 2017, UDI had been shutting down asylum centres for unaccompanied minors across the country (UDI 2017b) which resulted in none of the centres I had chosen to focus on being located in Oslo. Therefore, I expanded the geographical area of this research to the territory of the Norwegian East coast. Observations and interviews used for analyses encompass counties of Oslo and Akershus, Oppland and Buskerud.

Looking back at the fieldwork, I argue that its main characteristic was the constant struggle of access to places and informants. Though, in theory a lot of information is easily accessible on the websites of relevant institutions, in practice, gatekeepers and lack of clarity of jurisdiction dominated my experience of being a researcher in this field. Developing the concept of heterotopias as places "outside of all places, even though it may be possible to indicate their location in reality", Foucault (1984) provides six principles that define and delimit these spaces. The fifth principle shows how heterotopias have clear mechanisms of opening and closing "that both isolates them and makes them penetrable"(ibid.). Furthermore, both entering and exiting these places is conducted under certain rules and regulations, and while it may seem as though anyone can have access to them, it is only an illusion. Looking specifically at asylum centres for unaccompanied minors, as I will show in detail in chapter five, the struggle of gaining access became the main experience of conducting fieldwork, rather than an exception. Clear rules of entering and exiting, as well as the ostensible isolation as defined by Foucault, apply to asylum centres where children seeking refuge spend years waiting for life to begin.

Reasons behind the gatekeeping are multi-fold; this includes geographical obstacles, legal regulations, the need to protect one self, the institution(s) and the asylum-seeking children themselves. The chances of getting access depended also on the role I assumed and the purpose of the request for access. Whenever I presented my research goal as that of mapping the field and getting a better understanding of the processes, rather than a critique of the work of institutions, my chances of getting an interview with government bureaucrats increased. On the other hand, showing empathy, care and interest helped in securing an interview with a legal guardian or an asylum-seeking

child. The change of roles became a tool I applied to dismantle the barriers of access along the way.

However, certain challenges and limitations in the research process were inevitable. Firstly, due to the limited amount of time a master's thesis entails, a proper ethnographic study was not possible. In addition, the time when I was conducting fieldwork was also the time where asylum-seeking children, their legal representatives and NGO representatives where putting all their efforts in preventing the deportations, leaving little space for being interviewed and answering my questions. Furthermore, living with the informants was not feasible, both due to the children´s vulnerability, and the uncertainty of their status, and the varied profile of informants (i.e. civil servants, legal guardians, NGO representatives) who all lived in different places. However, while doing research, taking busses and trains to different isolated places, attending demonstrations and struggling with access to informants, I learnt that the personal insight of the researcher is invaluable to this project. I decided therefore to include such ethnographic details to better illustrate the deep webs of meaning that are ingrained in the marginal spaces where lives of asylum-seeking children in Norway are shaped.

3.2.1 Participant observation

Participant observation, according to Stewart (1998, 6) allows for a joint experience of the researcher and the 'actors' or 'insiders' to be the instrument of data collection. Though, as mentioned, I did not live with my informants, actions such as visits to asylum centres, demonstrations, panel debates and even engagement with the topic and some informants through social media gave me an insight into the everyday struggles and challenges asylum-seeking children in Norway face.

Traveling to asylum centres in order to conduct research was an important aspect of participant observation. In total, I had done three vistis to asylum centres, one unsuccessful due to a lack of public transport to the place in question, and two successful ones. This resulted in gathering information from three unaccompanied minors willing to take part in the interviews. The geographical challenges I encountered related to finding the right routes and transport, strengthened my hypothesis of asylum-seeking children being placed in the margins of the Norwegian society in places difficult to reach from the outside and leave from the inside. Both asylum centres were

several hours away from Oslo, and using public transportation lowered the chances of getting to the destination and back with sufficient time allocated for an interview with the informants. The exact location of the asylum centres will not be disclosed in order to protect the identity of the children who were willing to participate in the interviews. However, it is possible to describe both places as small and secluded, with no close connection to a big city. These geographic determinants, as I will show in chapter five, further illustrate the position of asylum-seeking children in the Norwegian society as a whole and their life in the margins.

As a part of the ethnographic experience, I also attended a demonstration that had the goal of preventing deportations of so-called October children. I was invited to attend by an asylum-seeking child, one of my informants, who implied it would mean a lot to him to see me there. The main impression from the demonstration was a mixture of feeling hopeful and hopeless. There was, in the acts of standing in front of the Parliament, something both empowering and disillusioning. The act of claiming something you perceived as the only right action, while knowing that the power to decide lied behind the wall on which you were not even allowed to hang a banner, led me to the realization of borders drawn to ensure that everyone is to move and act in a space carefully designated to them. In this way, the demonstration with its duration of a few hours became a clear illustration of my thoughts on the field I was researching and further shaped my analyses.

Other than the demonstration, I attended the annual meeting of the Union of legal guardians – *Vergeforeningen Følgesvennen*, a book launch of a researcher working on the topic of asylum-seeking children followed by a panel debate of experts in the field, and two report launch events. The first report was on the living conditions of asylum seeking children and their disappearances published by a non-governmental organization PRESS followed by a panel debate of experts and politicians connected to the field. The other report tackled the topic of care in asylum centres for unaccompanied minors and was organized by the research foundation FaFo. At each of these events, I took notes and wrote down observations and thoughts.

Both holding a torch at the demonstration and taking notes have been an essential part of the attempt to better understand the field I was researching and moving. However, due to the short amount of time at my disposal, I could not obtain a permission to

conduct research at the very asylum centres, which limits the scope of my observations. Following the objectives of the project and my research questions, through participant observation in selected situations, I focused on understanding the creation of different spaces affecting the lives of asylum-seeking children in Norway. Using the observations combined with analysing data and theory, I came to see how different actors, willingly or not, together or individually, contribute to, or directly create spaces of influence that I will define and analyse in the following chapters.

3.2.2 Interviews

Arguing that stories create meaning and represent ideology, Kezar (2003, 400) views

"fieldwork and interviewing as inherently collaborative and relational, identify human experience as constructed through subjective and intersubjective interpretation and stories as a primary way to understand these constructions, deny a universality of experience or reality, believe that multiple narratives exist and can both be in conflict and reflect truth, and place narratives within a sociological context illustrating that stories reflect history as well as create history."

In order to get a nuanced and clear image of the field as a whole, and following Kezar's argument of multiple narratives that can be in conflict while still reflecting the truth, I conducted qualitative, open-ended, semi-structured interviews with different actors in the field.

Qualitative, open-ended, semi-structured interviews

As Aberbach and Rockman (2002, 673) argue, "[i]nterviewing is often important if one needs to know what a set of people think, or how they interpret an event or series of events, or what they have done or are planning to do." Given that the goal of my research was to understand how the spaces that define and delimit asylum-seeking children's lives are constructed, and what role different actors play, interviews provided valuable data for further analyses. I opted for open-ended rather than closed interviews in order to give the informant the possibility to answer in their own way, providing me with a unique insight into their perspective. This proved especially valuable when conducting interviews with bureaucrats who would point out that the opinion they were expressing was not necessarily their own, but the one of the institution they work for. Aberbach and Rockman (674) further argue that open-ended interviews increase the

validity by giving the informant the space to give an answer within their own frameworks. The form of semi-structured interviews ensured depth and context, while at the same time giving the informant the chance to share information, the interview guide did not account for. This was, for example, of great value when interviewing asylum-seeking children who used the opportunity to share personal stories I was not sure whether to ask due to the sensibility of the situation.

Over the course of six months, I interviewed 16 people (Appendix A) all belonging to different target groups: researchers, bureaucrats, representatives from non-governmental organizations, legal guardians and asylum-seeking children themselves. All the names have been substituted with pseudonyms in order to ensure their anonymity. Even though the starting point for all the interviews was the same, the approach, content and format varied slightly, especially when interviewing asylum-seeking children and civil servants or representatives from non-governmental organizations. I will therefore briefly elaborate on the methodology used for these target groups.

Creativity when interviewing asylum-seeking children

Interviewing children brings a great set of ethical challenges. Interviewing asylum-seeking children adds a few more to that list. I will address the different ethical implications later, and now explain the methodology used to conduct the interviews.

Getting access to this target group was one of the biggest challenges I encountered during fieldwork. As mentioned earlier, at the time when I was conducting the fieldwork, most of the asylum-seeking children were either waiting to be deported as their temporary permits were expiring or still waiting for a final decision on their appeal hoping to be able to stay. This led to a lot of media attention, which in turn made it difficult to be one more person in a row wanting to ask questions. However, I managed to get access to three asylum-seeking children who at that time were living in asylum centres. Furthermore, I also got to interview a person who came to Norway as an asylum-seeking child in 2009, before the introduction of stricter asylum policies. This interview provided me with an insight into the life that awaits on the other side of the process of being granted residence. While the three interviews with asylum-seeking children, surely, do not account for a representative sample, I find their bravery to talk to me and the honesty with which they tell their stories too valuable and choose

therefore to tell their stories throughout the analyses. Each of the boys has a different type of residence permit – ID restricted, temporary until the age of 18, and a regular 3-year permit – representing, thus, the diversity of legal statuses and realities they live in. Finally, I triangulated the information gathered from the three boys and compared it to the previous research results (Liden 2017, Liden, Stang, and Eide 2017, Valenta and Berg 2012) in order to increase its validity.

As the informants had been living in Norway for a couple of years at the time of interviews, they spoke and understood Norwegian. Their language abilities varied, but they were all capable of expressing basic thoughts and feelings in Norwegian. In one of the interviews, an asylum-seeking child was present as a translator to ensure that the one interviewed felt comfortable understanding and answering questions. When translating interviews with asylum-seeking children, I kept the grammatically incorrect passages from the original statements in order to ensure the authenticity of the statements.

In addition to a recorded conversation based on an interview guide (Appendix B1), I also used less conventional, creative methods such as drawings, timetables and networks. As Veale (2005, 255) points out,

> *"[c]reative methods are those that draw on inventive and imaginative processes, such as in storytelling, drama and drawing. They can serve as constructivist tools to assist research participants to describe and analyse their experiences and give meaning to them."*

Throughout the interview, asylum-seeking children were asked to fulfil five such creative tasks. First, they were asked to write a few sentences on the topic *Before*, *Now*, *In the future,* in order to gain understanding of their perception of hopes and plans. Then they filled in a *Timetable* (Appendix C) with the schedule for one typical week that provided me with an understanding of what their day looked like and created space for questions about loneliness, boredom and despair. Later, the informants were given a drawing of a *Network* (Appendix D) in which they were supposed to write the names of people who were around them based on proximity. This showed who the informants interacted with most, what kind of relationship they had with their family, who they trusted and relied on. This method also revealed the fear and mistrust in the governmental institutions they interacted with, such as UDI which they all had put on the drawing. Furthermore, the children I interviewed also created a drawing on the topic

Norway and Me, which showed where they saw themselves in the Norwegian society. Finally, the informants were given a drawing *Obstacles on the Way* (Appendix E) where they wrote challenges they saw on the way of reaching their goal which in all cases was staying in Norway.

The creative methods did not only provide invaluable insight and information, but also opened up for questions that I had not predicted, but proved to be of great importance. In order to avoid the subjectivity of my personal interpretation of the drawings, I asked each of the three children to explain their drawings to me. On some occasions, this resulted in obtaining additional information in the explanation that is not present in the drawing. In such cases, in the analyses, I add the lacking explanations in a comment or a quote.

Elite interviews with civil servants and representatives from non-governmental organizations

Richards (1996, 199) argues that "the whole notion of an elite, implies a group of individuals, who hold, or have held, a privileged position in society and, as such, as far as a political scientist is concerned, are likely to have had more influence on political outcomes than general members of the public." Building on this, I approached the legal guardians, civil servants and representatives from the non-governmental organizations as elites, and adapted my methodology accordingly.

When developing the interview guide (Appendix B2), I used mostly the methodology developed for elite interviews in a semi-structured, open-ended form (Richards 1996, Berry 2002, Aberbach and Rockman 2002). I further used the same interview guide as the starting point for each interview, and adapted it to each individual as the conversation moved along. If an informant would tell me that they, for example, work closely with the police on the cases of asylum-seeking children that have disappeared from the asylum centres, I would adjust my interview guide in order not to miss important information that the informant could provide me with.

As Kezar (2003, 398) points put, researchers using an ethnographic approach "use elite interviews to develop a fuller picture of multiple realities and to try to develop the most complex picture as possible. This in turn can result in creating a not so flattering image

of the elites as gatekeepers who can affect future prospects of access for other researchers (ibid.). Having this in mind, I approached elite interviews with special care and focused on conducting the interview with as little bias as possible. My standpoint, both during fieldwork and while writing, was that each of the individuals interviewed tried doing their job in the best way possible within the given frameworks. The critique implied in the analyses, therefore, does not pertain to the individuals and the way they fulfil their tasks, but to the system and framework that influences their decisions.

An important aspect of the elite interviews I conducted was power difference, and the change in the dynamics of power between the interviewer and the interviewee. This does not come as a surprise given that "[t]he interview relationship exists in a social context; social forces of class, gender, race, and other social identities will impact the interview situation." (Kezar 2003, 409). When interviewing civil servants working at UDI who usually conduct asylum interviews with asylum-seeking, the change in the power dynamic of them becoming an interviewee and feeling the need to defend their work became occasionally became noticable. Finding a balance in using this dynamic for acquiring honest answers on the asylum interview process, without abusing it and making the informant feel as a guilty party was a major challenge when conducting these interviews.

3.2.3 **Selection of informants**

Before starting with fieldwork, I conducted desk research with the purpose of mapping the field, identifying main actors, institutions and regulations that affect asylum-seeking children in Norway, or more specifically in the greater Oslo area. Once I had a general overview of the field, I conducted several preliminary interviews that complemented the mapping done previously and helped me with initial access to informants.

As mentioned earlier, I conducted 16 in-depth interviews over the course of six months. Difficulty of access that characterizes the field led to the process of acquiring and conducting interviews to take rather long time. In that light, though more than 16 interviews would have created a more representative sample, the scope of a research project such as this one did not leave me enough time to ensure that. Furthermore, as Aberbach and Rockman (2002, 674) point out, significant amount of time is spent on conducting, transcribing and analysing semi-structured interviews. Most of the

interviews I conducted lasted between 30min and 1h30min which could sometimes lead to four or five hours of transcribing. As my goal was to understand the creation of different spaces that shape the lives of asylum-seeking children in Norway, and map the actors who participate in their formation, I opted for a broad selection of informants from different sectors. This resulted in the selection of a couple of informants from each target group, rather than an in-depth approach with multiple informants from one institution or a group.

I however tried to ensure interviewing at least two informants from each institution or target group in order not to base my conclusions on only one opinion. The only exception was the Norwegian Directorate of Immigration (UDI) where I only conducted one interview, as all employees were busy and often difficult to reach. The choice of interviewing civil servants from the County Governor's Office in Oslo and Akershus [Fylkesmannen i Oslo og Akershus] was a result of several conversations with legal guardians. They often mentioned tensions between this office whose mandate is to provide guidance to all legal guardians throughout the country, and their moral sense of obligation towards the asylum-seeking children. In order to ensure a nuanced view of the situation, I opted for interviewing both the legal guardians and the civil servants.

Attending events and meeting people also helped in extending my personal network which led to more contacts that could point me in different directions. When getting access to asylum-seeking children, I often used personal connections, but not before checking with the responsible legal guardian whether they thought the person in question would be able to participate in an interview.

It is, however, important to acknowledge that the timing for conducting fieldwork affected the selection of informants. While the tension in the field created by the prospect of deportations gave the interviews an air of urgency, it also created further obstacles of access to informants. Many legal guardians and civil society organisations were busy advocating for a stance on deportations and could not find time for an interview. At the same time, government bureaucrats were also under a lot of pressure and had equally little time. In order to overcome this challenge, I extended the time for doing fieldwork by one month, and thus managed to acquire more interviews and diversify the selection of informants.

3.2.4 **Document analyses**

Given the high political contestation of the topic I address in my research, I decided to analyse and consult different documents and reports[7] relevant to the field. The purpose for doing this was two-fold; firstly, to find factual information about events, places or people I could not get access to through fieldwork – such as the report of the civil ombudsman on the conditions in the police immigration detention centre Trandum and secondly to verify information and data collected in interviews – such as the correlation of the enforcement of temporary permits and the increased number of disappearances that several non-governmental organizations would mention.

Going back to document analyses between interviews and events helped me stay grounded and confident in situations where bias could easily mislead me. For example, knowing information from the report on the detention centre in Trandum helped me both in asking direct questions to the civil servants about the potential breach of human rights, but also to stay critical when listening to the legal guardians' stories of horrors that asylum-seeking children go through.

3.3 Ensuring validity and reliability of data

"For the constructivist, truth lies in the eyes of the observer, and in the constellation of power and force that supports the truth" (Moses and Knutsen 2012, 11). Using the constructivist approach and trying to acknowledge the multiplicity of perceptions and truths while researching, I still worked on ensuring the reliability and validity of my data.

Stewart (1998) argues that ethnography, as a means of scientific inquiry can also strive to better inform the reader of the ways in which data had been compiled and analysed. Though a typically positivist approach of validity, reliability and generalizability might not be applicable due to the sensitivity of context, time, relationships and other social and political factors, there are steps a researcher can take to show "some glimmerings of truth about the world" (14). Following the advice and research tactics he provides, I used a set of tools such as writing a fieldwork diary, searching for discomforting observations and being attentive to the context. In addition, he points out that increased

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[7] Most of the official documents were in Norwegian and the translations used are my personal translations

validity of ethnographic inquiries can be achieved by anchoring the findings in strong analytical frameworks. Aware of the limitations of my research, I therefore developed the multi-layered theoretical frameworks that guides my analysis in this study.

Limitations such as those of not being able to live together with or in close proximity of my informants, of course, exist. However, as mentioned earlier, due to the sensitivity of the topic and vulnerability of the target group, such an endeavour was not possible. In addition, questions of time and access as mentioned earlier have also affected the process of compiling data.

Similar considerations towards reliability and validity apply for the interviews. When developing and conducting interviews, I followed the guidelines provided by Berry (2002), Kezar (2003) and Richards (1996). Trying to give voice to as many parties involved in the field, taking notes, interviewing at least two people from the same institution or group of people were all part of the effort to ensure the validity and reliability of data. I also aimed for a gender balance, but when faced with the challenge of access, I was compelled to abandon this requirement and focus solely on securing the interview.

All the interviews were audio recorded, transcribed and analysed. Though time-consuming this method ensured greater validity of data as no information was lost due to slow note taking or fading of memory.

3.4 Positionality and ethical considerations

Another important quality of constructivist research is the role the researcher's perspective plays in the process of compiling observations and experiences (Moses and Knutsen 2012, 11). As these are neither neutral nor consistent among researchers, it is important to acknowledge one's positionality. Caplan (1993, 178) argues that the questions of difference and comparison between the researcher and the informants need to be addressed by disclosing information about the self, not just the other.

Addressing my own positionality, I find it important to mention that at the time of fieldwork, I was in the process of renewing my own temporary student residence permit. As I look at this legal aspect throughout this thesis, I find it important to

mention the personal experience of anxiety and hope that marked these months did affect the way I saw asylum-seeking children tackle this issue. Furthermore, I myself am an immigrant in Norway which in many ways helped me empathise with the struggles of identity and belonging I noticed among the asylum-seeking children I interviewed. At the same time, I speak Norwegian as a second mother tongue which allowed me to move across the field easily when talking to Norwegian speakers or reading documents.

Important ethical considerations had to be made when interviewing asylum-seeking children. I had to make sure they understood who I was, what my goal was and what potential implications it could have for them. In an interview for the journal *Forskningsetikk*, Liden (Jakobsen 2013) explains the importance of informed consent when doing research with asylum-seeking children. She points out that it is of major importance to explain what the role of the researcher is, given that this target group often finds it difficult to distinguish between police, journalists, civil servants and others who ask questions. Making sure that the ethical guidelines were followed, before interviewing any asylum-seeking child, I first acquired consent from their legal guardian (Appendix F), and then, once I met with them, I explained in simple terms what my research was, how I plan on ensuring their anonymity and what kind of questions I would ask. I also made it clear that they are free to decline answering the question if they were not comfortable. Finally, I had to make sure that none of the information I collected from them could bring the children neither harm, nor advantage, in the asylum application process.

Another important issue that Liden (Jakobsen 2013) brings up is that of the responsibility for making the story of the asylum-seeking children heard. She points out that it is not the role of the researcher to be an activist, but it is important to create the space for the difficult and troublesome stories of these children that they choose to share. In this thesis, I try to give voice to those in pain, but I also try keeping my distance by showing the stories of those on the other side who take the decisions affecting them. Finally, I choose to address them as asylum-seeking children, rather than youth or unaccompanied minors, throughout this this thesis, in order to emphasise the vulnerable dual identity they carry. However, I do not use the term refugee child, as it is not my role to decide whether the asylum-claims they file are righteous or not.

The research project was approved by the Norwegian Centre for Research Data (NSD) under project number 55135. The data compiled during the project duration was saved on a school computer, protected by a password and anonymized. The original information about the informants is known only to me and my supervisor. After the termination of the project, all data will be deleted in order to ensure the anonymity of all the informants.

4. Spaces of (Il)legitimization

"How strange! How ironic! Just because a man has been created on the Equator some mad people regard him as a slave, others as a god. Where lies the mean? Where the middle way?"

- Season of Migration to the North, Tayeb Salih (1991)

Being a part of the field provided me with the necessary closeness needed to preserve the humane approach enabling me to see asylum-seeking children as children with stories, dreams and fears, not as uniformed objects devoid of individuality. Nonetheless, it also provided me with the opportunity to witness that my lens, is not always the one deployed by other actors, and that the state, specifically, has its own way of seeing (Scott 1998). In the discrepancies between the different ways of seeing and, thus, acting, also provided me with a unique insight into the rational and magical presence of the state (Das 2004) with all its defining characteristics of real consequences, danger, lack of transparency and vulnerability. It is exactly the two-prone vulnerability as described by Das (ibid.) that became my starting point for analysing the forging of spaces of (il)legitimization. On the one hand, there are the asylum-seeking children who become vulnerable as their utterances can be misinterpreted, taken out of context or transformed. On the other hand, for the state, the vulnerability lying in the possibility of interpretation creates "a mode of circulation through which power is produced" (245) granting it the opportunity to exercise new laws and legislation on those residing in the margins.

Taking Scott's (1998) approach where the state in the need to make its population standardized and legible produces both citizens and objects, in this chapter, I look at the Norwegian state and its need to maintain control and legitimacy in the margins that asylum-seeking children occupy. Approaching margins here as the struggle between legibility and illegibility of state practices (Das and Poole 2004), I look into the process of constructing and deconstructing identities of asylum-seeking children. Understanding legibility as "the production of both a language and a knowledge for governance and of theoretical and empirical tools that classify, serialize, and regulate collectivities" (Trouillot 2003, 81), I look at the encounters between asylum-seeking children and the

state through the use of language, expert knowledge and the design and implementation of laws and policies. In the process of securing and undoing identities (Das and Poole 2004) moving between its rational and magical presence (Das 2004), I argue that the state transforms asylum-seeking children from unruly subjects to illegitimate objects. In this transformation, situated in the context of urgency where illicit is rendered licit (Agamben 2005, 24), new laws and regulations define the legitimacy or illegitimacy of children's asylum claims.

In this chapter, following the three aspects that define legibility, I will first look at the power of language and its use for managing collectivities by affecting asylum-seeking children's legal status and sense of belonging in the Norwegian society. Moving on, I address the spaces of evidence and the use of expert knowledge to strip asylum-seeking children off their history and legitimize state actions. Finally, I look at the spaces of policy and law, and the mechanisms through which the state is always present either through its writing practices such as the changes in the legislation, or as an "overwhelming power" (Das 2004, 226) that, like a shadow, follows every segment of asylum-seeking children's lives. By exploring what I term spaces of (il)legitimization, I will answer the research question of how asylum-seeking children's lives in Norway are defined and delegitimized.

4.1 The power of language

"Because it is possible to affect the thought structures, discourses, and emotions of people and the legitimacy of actions through selected language regulations or prescribed terminologies, most conflicts involve clashes over the substance and "correct" use of terms."(Meusburger, Gregory, and Suarsana 2015, 49)

The legibility of state actions manifested in the correct use of language can play a decisive role in determining what the future of an asylum-seeking child will look like. Language, due to its effect on structures, emotions and legitimacy of actions, and its connection to the legal frameworks established to provide protection and care to those in need, is what I define as the first mechanism that can be deployed in the process of (il)legitimization of asylum-seeking children. Furthermore, the manipulation of language or the use of technocratic terminology, I will argue, leads to a construction of identity that can fit the legal frameworks that will further define it. While the use of

language in both legal and public discourse can become an independent research project, I will here take a limited, two-fold approach: language as a determinant of legal status and language as a tool for criminalization of asylum-seeking children and the creation of difference between Norwegian children and o*ther* children.

4.1.1 **Language as a tool for creating difference**

Only a week before the time of writing, on march 9th, 2018, Norwegian justice minister, Sylvi Listhaug, accused an opposition party of caring more for the rights of terrorists than the safety of the nation (NRK 2018). Arguing for the removal of Norwegian citizenship from foreign fighters [fremmedkrigere] without a court decision, calling them terrorists and juxtaposing it to national safety, the justice minister once again made a clear difference between 'us' who belong and enjoy certain rights, and 'them' who don't and should not be given equal treatment.

This illustration, even though not affecting asylum seekers directly, is one of many creating an association of immigrants, refugees or asylum seekers with terrorists. However, the reason why I chose this statement by the justice minister lies in the power of the state to selectively change not just a law or regulation, but its basic principles of democracy, in order to ensure what is defined as national safety. While foreign fighters have Norwegian citizenship, and should, be treated equally as all other Norwegian citizens, the state of emergency (Agamben 2005) invokes the right to change the basic principles in order to ensure that the order is preserved and maintained. In that way, sacrificing the democratic principles for the purpose of preserving that same democracy becomes justifiable (ibid.). Asylum-seeking children undergo similar processes of criminalization in public discourse. Singh Bui (2013, 2) argues that, "migrants and asylum seekers are often conflated in the media, in political debate, and in populist rhetoric, with terrorists, criminals, those who are not to be trusted ('bogus'), or the socially unworthy, who place a burden on public services." This narrative in which individuals and their stories are portrayed as false or "bogus", where children in need for protection are seen as intruders and a potential threat to the welfare system, contributes to the creation of boundaries between those who are on the inside and those left in the margins. As shown in the first chapter, the state, the welfare system and the nation are aligned closely along the same axes. The resources represented in the welfare

system belong to those on the inside and, if under threat, become a bargaining chip in a game where rules are subject to change due to the state of panic. In this contested space, children seeking asylum are denied the right to be a part of *the* children before they even got the legal permission to start thinking of it. Instead, labelled as criminals they become the binary opposite of what the Norwegian society of goodness represents becoming, thus, *other* children.
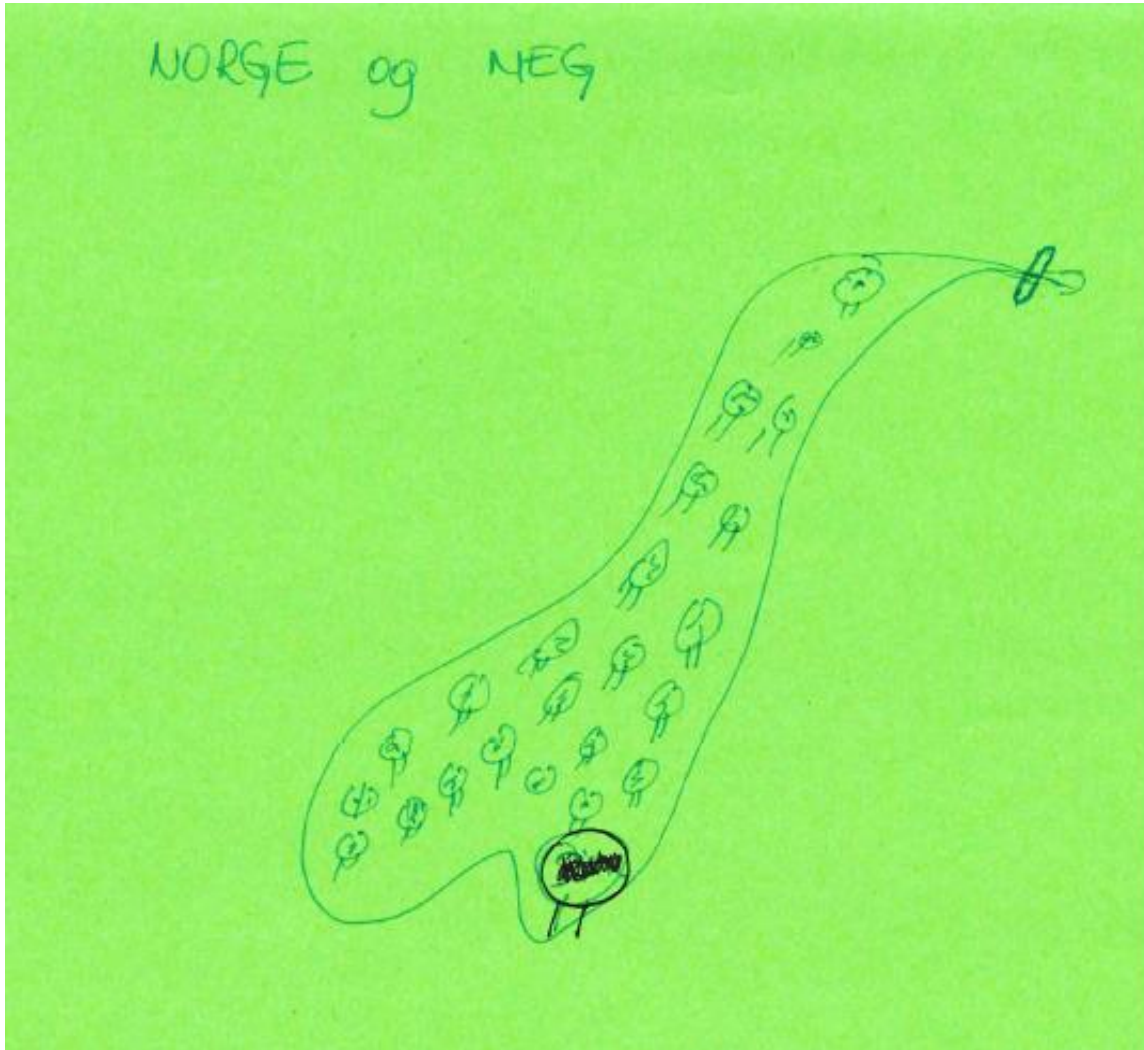
Figure 2 - Norway and Me

However young, asylum-seeking children are aware of their position in the society. In the interview with Badih, I asked him to create a drawing on the topic *Norway and Me* (Figure 2). Explaining the drawing, he says:

> *"Here is people who live in Norway, and here am I [showing the figure slightly different than the others]. But I try to come to them, but they run away maybe. […] Yes*

[I feel outside]. Because they have fear. Don't come close to me or never talk to me."(Badih, asylum-seeking child).

Further in the conversation, Badih explains to me the reasons why he thinks people are afraid of him. He tells me a story where he and a friend of his from the asylum centre walked down the street and two girls, who he assumes were Norwegian, started running away from them without a reason. This brings him to questioning himself, his actions and he asks me why they would do something like that. Talking about the same topic with Magnus, an NGO representative, he explains:

"Many [asylum-seeking children] I know, know who Sylvi Listhaug is. And many have also understood that there is an equating sign between asylum-seekers and terrorists. We have to protect our borders. We have to know who comes in because they can be potential terrorists. All those things. The political. That rhetoric is very damaging because it contributes to the strengthening of the feeling of not being welcome." (Interview with Magnus, NGO representative)

Such use of language in public discourse, that effects emotions as well as structures in the society, leads to the creation of a profound difference between 'us' and 'them'. Drawing clear borders of belonging, the use of language serves the purpose of forging identities for asylum-seeking children labelling them as intruders, not as a part of children who deserve protection. Reinforcing the rhetoric of fear as Badih illustrates it in his drawing, the state, this time in the form of rumour (Das 2004), ensures that asylum-seeking children stay in the margins. Juxtaposed to the Norwegian children, these other children, as I will show throughout this thesis, can be given different treatment and subjected to new forms and regulations.

4.1.2 **Language as a determinant of legal status**

The political identity and therefore legal status, rights and prospects for the future of asylum-seeking children are, as introduced in the first chapter, defined through two important terms: asylum-seekers and children. Depending on the constructed identity, and the prevalence of one or the other hegemonic discourse (Vitus and Liden 2010), the state implements a certain set of rules or regulations necessary to manage the unruly subjects that have just entered its territory. In the melange of terminology dominating this contested space, the term asylum-seeker can easily be used interchangeably with the term refugee or migrant, while the term child can disappear in the technocratic language

used by the state. In this ostensibly unclear mix of available terminology, I explore the vulnerability arising from the possibility for interpretation, the production of power or disempowerment hidden in the use of language.

When an asylum-seeking child crosses the Norwegian border, defining them as a migrant, rather than refugee implies a lack of reason for entering the territory, no need for protection or even false pretences. From a legal perspective, "an international migrant is someone who changes his or her country of usual residence, irrespective of the reason for migration or legal status." (United Nations 2017). A migrant can thus be a European expat moving to Mexico to work for a multinational company, or a young person from Morocco moving to France in search for a better job. Refugees, on the other hand, "are persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection"(ibid.).

"I had much problem in Afghanistan. And so, therefore, ran I from there to Teheran. So I have lived in Teheran approximately four-five months. So I was fleeing. At that time I have been 15 years old. I thought to myself, yes, Badih, you are a child seeking refuge now." (Interview with Badih, asylum-seeking child)

In the interview, Badih refers to problems that made him flee his country as big enough for him to acknowledge that he, himself, becomes aware of the fact that he has become a child seeking refuge. The distinction clarifying the reasons for changing the place of residence is important, not only in the public discourse, but also for legal purposes. Given the state's need to maintain control over its territory and population, refugee law becomes "the sole legal constraint on state sovereignty in regard to people entering territory" (Dauvergne 2013, 77). As seen in the first chapter, international regulations, such as the Refugee Convention ensure that the rights of vulnerable individuals are protected by the different states. However, for this to be possible, the right term, refugee, needs to be used. At the same time, the correct use of the term "refugee" implies a conflict of interest concerning protection – does the state protect interests on the inside of its borders or does it ensure protection for those crossing its borders. It is here that the international conventions such as the Refugee Convention play a significant role in influencing the course of action of nation states making sure that persons requiring international protection truly receive it. Maintaining the rational presence of the state, the written practices such as international conventions and

national laws, rely on the correct use of language in order to ensure that rights of vulnerable individuals are maintained. However, the possibility of interpretation of whether an asylum-seeker has the right to protection or not, and therefore whether they should or should not be called refugees, as I will show later in this chapter, opens up for misinterpretations and manipulation of the language, leaving asylum-seeking children vulnerable, and introducing the state in a new, magical form.

In addition to being asylum-seekers, as I have shown in the first chapter, children seeking refuge are also children. Similar to the mechanisms ensuring refugees' protection in the international community, they are internationally safeguarded by the Convention on the Rights of the Child (CRC) described earlier. As one of the writing practices of the state (Das and Poole 2004), the CRC plays a significant role having precedent over national legislation (Stang 2012). Opposite to the refugee laws that stand in the way of state sovereignty, the laws and regulation pertaining to children in Norway, as seen earlier, align almost perfectly with the national interests. As I will show throughout this study, the three main principles of the CRC: "the best interest of the child, participation rights, and not treating asylum-seeking children differently from any other child" (Vitus and Liden 2010, 68) all seem to be breached or neglected without any consequences nor repercussions on the Norwegian state. In that light, in the struggle between two identities concealed in the use of language: Where does the one of being a child loose power? And how is the identity of being a child lost or weakened through the use of language?

When talking about asylum-seeking children in Norway, both in the media and especially in governmental documents, it is common to hear the term unaccompanied minor [enslig mindreårig]. The absence of the world "child" in this terminology shaping law and policy, as well as public opinion, and its substitution with the technocratic term unaccompanied minor asylum seeker go back to Scott's (1998) definitions of simplification and abstraction deployed by the state for more efficient interventions. Stripping asylum-seeking children of their identity as children through the use of technocratic language and disguising them in the term unaccompanied minors, not only constructs a space where rules pertaining to Norwegian children are no longer valid, it also creates a seemingly objective distance between the governed and those who govern. In this way, the issue of using the right word removes the discussion from the

realm of political, transforming it into a simple matter of application of correct legal frameworks. As Asad (2004, 283) explains:

"If it is the case that people in society are never homogenous, that they are always constituted by different memories, fears, and hopes, that they have different histories and live in different social-economic conditions, then the official who chooses or judges may be held accountable for who, how and why he categorizes. But the act of categorizing always involves abstraction from one context and its application to another context – and it is always, in a sense, uncertain."

The correct use of language, as I will show later in this chapter, especially in regard to the use of generalizable collective terminology as opposed to acknowledging the individual story, carries the notion of uncertainty and ostensible distance. Using the term unaccompanied minor, or the abbreviation UAM [EMA], enforces that distance between the government official in charge of determining legal status, and the personal story of the child standing in front of him or her. Furthermore, homogenizing the children into one single entity, they are transformed from unruly subjects into governable objects upon whom designated rules and regulations can be exercised. So, while Badih clearly sees himself as a child seeking refuge, somehow, through the lens of the state, the "hegemonic definitions of children and childhood" (Vitus and Liden 2010, 63) are being questioned introducing a new way of seeing where asylum-seeking children are no longer children. Rather, they are seen as a homogenous group stripped of individuality ensuring in that way more effective governance.

4.1.3 **Loss of individuality among the other children**

With language being one of the key aspects of ensuring legibility, in this section I explored the use of language to expose the practices in the margins of the Norwegian state. Focusing on the two aspects in which the use of language contributes to the establishment of new identities for asylum-seeking children, I argued that they are transformed into other children upon whom different rules and regulation can later be exercised. Furthermore, with the deployment of technocratic language, asylum-seeking children's lives are stripped of individuality. As an ostensibly homogenous group, given the identity of unaccompanied minors, they no longer represent unruly subjects, but rather governable objects ensuring effective state interventions and practices.

Enmeshed in the language though which the grey zone between legibility and illegibility is maintained, the state oscillates between its rational and magical presence. Rational in its compliance with the international frameworks and magical in the deployment of what for the children appears as obscure and dangerous mechanisms that result in the loss of individuality, the state governs its margins by producing and undoing identities.

4.2　Spaces of evidence

In my quest for understanding the process of securing and undoing identities (Das and Poole 2004), I go on to explore spaces of evidence. As another contested space, spaces of evidence embody the dilemmas between expert knowledge and personal stories bringing to the surface issues of uncertainty, power and vulnerability. As "the documentary and statistics-gathering practices of the state are all intended, in some sense, to consolidate state control over subjects, populations, territories and lives." (Das 2004, 9), it is essential to address such practices in relation to the asylum-seeking process of the children in question. Furthermore, given my focus on the process of forging new identities for asylum-seeking children, I direct my attention to "the documentation through which the state claims to secure identities, but which in practice often circulates in ways that undermine these same identities and assurances" (Das and Poole 2004, 15). In this manner, with knowledge as one of the components that ensure legibility, I explore the interaction between personal stories and expert knowledge as closely connected to matters of power and control.

Upon arriving to Norway, asylum-seeking children are confronted with the search for evidence by different actors exercising power. On the border, they will be asked about their identity and later in the process about their age, the reason for fleeing their home countries and others. At each of the stages, the truthfulness of their story will be assessed against the backdrop of expert knowledge generated by the same institutions as those asking the questions. The story about identity will need to be backed up by a valid ID as recognized by the UDI, the question of age will be inspected with an age test, and the reason for fleeing will have to be confirmed by the country information provided by The Norwegian Country of Origin Information Centre, Landinfo.

The kind of expert knowledge applied when assessing the truthfulness of the story told by asylum-seeking children is what Meusburger (2015) calls *factual knowledge*. This form of knowledge embodies "a wide range of facets: the sum of what has been perceived, discovered, or learned by means of a methodically well-regulated procedure bound to justification, truth, and verification. […] This category of knowledge is needed in order to achieve a realistic description and analysis of a given situation, to master complexity, to cope with competition, and to manage risks under uncertainty" (25). The underlying uncertainty which needs to be managed by the bureaucrats through which the state enters the lives of citizens (Das 2004), becomes one of the central points in the spaces of evidence. Following the chain of uncertainty, I will look at three situations in which asylum-seeking children are confronted with expert knowledge and where their stories are assessed as legitimate or not - the reason for fleeing their home country, questions of age and mental health.

4.2.1 **Raison d'e(n)tre**

Upon crossing the Norwegian state borders, asylum-seeking children officially enter sovereign Norwegian territory. However, the physical existence on the inner side of the borders, does not mean membership, nor belonging, given that the "struggles of belonging are grounded in a conceptualization of the world as not only geographically bordered but, more importantly, limited in terms of wealth and resources" (Franko Aas and Bosworth 2013, 34). As seen on several occasions earlier, in the case of Norway, the sense of belonging connected to wealth and resources is ingrained in the cornerstone of the welfare system, built on the premises of contributing when you can, and receiving when you need (Interview with Åse, researcher). As the asylum-seeking children had not contributed to the system, the question of need is emphasised, and its legitimacy is brought under question.

According to the Norwegian law, when a child applies for asylum, the threshold for assessing the need for protection should be lower than the one for adults (Liden 2017, 87). However, while lower, the assessment is still, as seen earlier, based on the question of whether there is a *real* (emphases added) need for protection. In the process of deciding who has the need for protection, and thus asylum, the person assessing the claim takes into consideration the applicant, country information and the legal

framework (Kitterød 2015, 19). I will address the legal framework in the following section, I now move on to explore the relationship between country information and the applicant's story.

"And then we begin with them telling us why they have left their home country. There we want them to tell as much as possible so that we can understand why they leave. And we ask questions so that we can know as much as possible about the reasons for leaving. And what they are afraid of if they are to travel back. On some occasions we ask where they come from, so that we can know that they are from where they say they are. Because that is important for us. And then that is also what we talk about in the end of the day:" (Interview with Cecilie, UDI).

Cecilie describes what for her is a typical asylum interview with underage asylum-seekers. Following a well-established procedure, asylum-seeking children are asked about personal stories for fleeing their countries of origin. The information about the rationale for leaving the home country is then assessed against the country information that UDI has. The country information is provided by Landinfo, "an independent body within the Norwegian Immigration Authorities" (Landinfo 2012) whose goal is to conduct research and analyses on the conditions in different countries of the world. While independent, Landinfo does respond to UDI that grants it its mandate. The research conducted by the institution is not prescriptive, but is used in the assessment of asylum cases, especially in terms of validating the truthfulness of the need for protection. In the case of Afghanistan, memos on practices and procedures at the UDI, rely heavily on the information provided by Landinfo (UDI 2014a). This form of managing information represents a tool deployed by the state for "controlling the spread of information and generation of knowledge" (Meusburger, Gregory, and Suarsana 2015, 51) in order to ensure legibility and retain power.

However, the situation illustrated in the factual reports, does not always correspond with the story told by asylum-seeking children. The memo on practices and procedures in asylum cases related to Afghanistan attains that only two regions in the country are deemed seriously dangerous and that places such as Kabul are considered safe and accessible (UDI 2014a). At the same time, during my interviews with the three asylum-seeking children, all three boys brought up the matter of safety in Afghanistan without being asked about it. On different occasions, they talk about the most recent news of a

bomb in Kabul, of someone they know being killed or of threats they received. One of the boys, Ahmed, says:

"In Afghanistan, they will, for example, kill over 200 in a week. But they don't have any feeling about Afghanistan, Norwegian authorities. They just keep sending to Afghanistan. I escaped. For example, I escaped from Afghanistan to Europe. They don't find any other places in the world we can go there. Because they want to send us back. There was only one hope. Europe. But found not so much. There was only one place in the world." (Interview with Ahmed, asylum-seeking child).

Ahmed's explanation that the Norwegian authorities do not have "any feeling about Afghanistan" illustrates the complexity of the situation that cannot be presented through country reports such as the ones Landinfo provides. More importantly, the discrepancy that Ahmed points out between what the Norwegian state sees and what he sees, renders his vulnerability and powerlessness visible; his utterances in the asylum interview make him vulnerable as they can be interpreted as false and untrue. On the other hand, for the state, the uncertainty and the possibility for interpretation transform that vulnerability into new channels of power. In that discrepancy that reinforces the two-prone vulnerability, he encounters the state in its magical form, while the state practices continue following a rational form of governance supported by its institutions and written practices.

In another interview, a boy, Dadvar, explains:

"I live in South Afghanistan. That is very war. Now Taliban can decide what will we do. Totally war. [...] They [UDI] say, it is totally ok. You can live in Kabul, in the capital in Afghanistan. Later I complained. Later I got residence permit."(Interview with Dadvar, asylum-seeking child)

In addition to the difficulty of incorporating complex situations and analysing what is safe or not in expert reports, the challenges of discretionary decision-making can be traced to other sources as well. Children often tell stories based on what *they* (emphasis added) deem relevant which does not necessarily correspond to relevance as perceived in expert reports (Liden 2017, 94). Therefore, it is not uncommon that asylum-seeking children leave out information that could be important when telling the story in the asylum interview. Furthermore, as seen in the explanation of the civil servant from UDI, the children are asked open questions where their answers can influence the development of the interview. Understanding the meaning of the stories they tell, can

for children come gradually as the interview unfolds (ibid.) potentially rendering their stories untrue or "bogus". In the conversation with me, Badih talks about the journey:

"There on the way is a lot of people. Like, one thousand approximately, or one hundred. And there we don't need to have a passport or something. You just come to a new country as you will." (Interview with Badih, asylum-seeking child)

For him, the difference between a hundred and a thousand people is insignificant. What matters is that there was *a lot* of people. The story is based on his lived experience and the facts for him are true as they depict the reality as he saw it. The statistical numbers could be both much higher and much lower, but that is not a reference he can make. At the same time, the concept of having a passport for him does not seem relevant as he crossed the border without having one. Understanding that concepts such as facts, experience and consequences are not always something children are familiar with and the stories they tell are primarily based on experience (Liden 2017) is an important aspect that needs to be accounted for when assessing the need for protection.

In contrast to Badih's story, factual knowledge that state institutions such as UDI operate on, would provide concrete numbers of all border crossings available based on the different reports and data. In the mismatch between the personal story and the factual knowledge, vulnerability and power as characteristics of the magical presence of the state (Das 2004) are again reinforced. While the personal story needs to be taken into consideration, it is assessed against the backdrop of country information provided by UDI. In the uncertainty, where the burden of the decision lies on the bureaucrat in charge of the case, asylum-seeking children lose control over the outcome of the decision, while the state, through its written practices retains power. When asked about what affects the decision the most, a civil servant from UDI said:

"It is what the applicant self tells together with what we have in terms of country information. And we have to work within the legal framework. And look at the legislation and see what they have said. Because it is the legislation we have to follow." (Interview with Cecilie, UDI)

What Cecilie illustrates in the explanation of what comes first in the process of assessing the need for protection, is the illusive presence of the state as a distant yet overwhelming power that dictates the legislation that has to be followed. In the contested space where uncertainty and juxtaposed opinions set the tone for decision-

making, maintaining distance and objectivity becomes a challenge. Managing uncertainty, as shown in the sections on the use of language and legal framework, can be done by opting for an approach where asylum-seeking children represent a homogenous group labelled unaccompanied minors and for whom clearly defined rules exist. With such an approach, children's stories are stripped of history and factual knowledge is used to forge new identities. Having lost the story which provided them with the reason for seeking asylum, or even having been labelled as bogus due to false stories, children seeking refuge are left with no real reason for crossing the borders of the Norwegian state. In that light, their need for protection, and thus access to welfare services is deemed illegitimate and the borders of belonging are drawn leaving them on the outside.

4.2.2 **Age**

Another piece of evidence asylum-seeking children are confronted with is the matter of their exact age. This question plays a significant role not only in determining what rights and treatment they will enjoy, but also in maintaining the image of care for children within and outside of the national borders. In an interview with Tanja, researcher in the field of law and migration she argues that:

"[…] unaccompanied minors, and children in general, present a greater challenge to the authorities wishing to employ more exclusionary and coercive border policies. They challenge the notions of migrants as offenders. It is also more difficult to designate children and minors as unworthy of help and protection, because there is a long tradition of seeing children of worthy of help regardless of their nationality and citizenship status. For this reason, the authorities are using a lot of resources for establishing whether minors are in fact minors, giving them very little benefit of the doubt, while using some very doubtful measures for establishing their age (the Norwegian Medical association has been among other critical of that). The authorities also suspend more restrictive measure until minors come of age at 18. They are therefore denied the possibility of becoming full members and remain in limbo until they can be treated as adults." (Interview with Tanja, researcher)

The importance children have in the Norwegian society that Tanja points out, illustrates their symbolic and practical position I introduced in the first chapter. In the context where children and their rights are a matter of national pride, the question of determining whether an asylum-seeker is indeed a child is of great importance to the

state. The issue as illustrated by Tanja in the dilemma between a shift towards more exclusionary border policies and the tradition of ensuring protection for children is another complexity where expert knowledge is used as a tool for managing uncertainty. Expert knowledge applied in this case is the age test conducted before the asylum interview in case it is not possible to determine whether the applicant truly is a minor, or whether they are under the age of 15 (UDI 2014a).

When registering entrance into the Norwegian territory Police Foreign Unit [politiets utlendingsenhet], asylum seekers are asked about their age (Liden 2017, 122). Given that very few asylum seekers have valid IDs, and that the validity of those documents is often under question, the matter of age is determined by an age test that consists of a hand and tooth x-ray (ibid.). If the official at the police office deems a person to be above 18 without doubt, they are automatically placed in asylum centres for adults. When in doubt about whether the applicant is indeed under 18, an age test is recommended. The test is voluntary, but in case the applicant denies submitting to one, they risk being deemed uncooperative and the reliability of their story is put under question (ibid.). In the majority of cases, the legal representative therefore advises the child to take the age test. Furthermore, the test can be used to determine whether the applicant is under 15, which would result in a placement in a care centre (ibid.). Disguised in the inevitability of taking the age test, the overwhelming power of the state enters the lives of asylum-seeking children from the moment they enter the Police Foreign Unit to register as asylum-seekers. In the inevitability of taking the test, I look at the dynamic between the results of scientific examination and the personal assessment as told by asylum-seeking children during the asylum interview.

The age test results are known to the official conducting the asylum interview before the interview itself takes place (Interview with Cecilie, UDI). However, this is usually brought up first towards the end of the interview.

"The age test is usually done, but we tend to take this at the very end of the day. So that we know that we have understood everything else. And then we usually begin by asking what do you know about your age, how do you know that, have you maybe had to use your age for something. So, ask what he knows about his age before introducing the age test so that he gets the right to explain what he knows of his age." (Interview with Cecilie, UDI).

While for bureaucrats like Cecilie, the procedure of taking the age test represents another state practice through which control over those who enter the country is maintained, for asylum-seeking children it becomes another magical encounter with the state. Allow me to illustrate this through Ahmed's explanation of the age test.

"I had a lot of fear. That maybe there will not come a good result. And I had fear because maybe that will not be true. Because the age test when they take it is not completely precise. It doesn't say precise. Someone who is actually 16 years old, they come on age test as 19 or 20. It is like that, someone comes when they are 16, maybe they be 15, 18 or 19. But there is a lot that happens. Actually they are 17 or 16 years old, but they come to the age test and later they get the result that they are 19 or 18 years old. I have thought a lot about that." (Interview with Ahmed, asylum-seeking child)

For Ahmed, and other asylum-seeking children, the concept and practice of the age test, as well as its role in the asylum interview, is both scary and stressful. Knowing that the power to determine how old you are and what future you will have lies in the hands of someone else, recreates vulnerability and reinforces state's control. Even if they themselves are not submitted to the test, or the test confirms what they have said, the exchange of stories and experiences among peers at the asylum centre can lead to fear and scepticism.

"And so after I came to the asylum centre and then we have contact with each other. Like how are you doing and like that. And so he said that he had a taskera, ID card. But he delivers it to UDI and says he is 15. But UDI has not trusted that. UDI says no you are adylt. UDI took the decision with the age test, tooth and the hand. When he was there but I got answer now that he was 19. That is how it is." (Interview with Badih, asylum-seeking child)

What Badih expresses is the spread of informantion among the children living together in asylum centres about the process and consequences of the age test. In this way, through the constant talk about the danger of what can happen after the age test, the state is not only present through its written practices, but also in the form of rumour ensuring that its signature is read (Das 2004) and its control maintained through a mixture of fear and hope.

Furthermore, the lack of trust in the instruments used, expressed earlier by Ahmed, corresponds to the scientific criticism following the methods and rationale behind the age test. The test, in its current form, has been criticised by experts in the field for the

large span of insecurity, where the correct age for a 17-year old, as assessed on the test, can vary from 14,5 to 19,5 years of age (Liden 2017, 122). In addition, this methodology only takes into consideration the chronological age and neglects other aspects that can have an influence on one's maturity, way of perceiving things, events etc. As children's approach to the different events that take place does not always correspond to their age (61) the use of methodology that prioritises only chronological age in asylum assessments, becomes problematic. Magnus, an NGO representative working on ensuring the rights of asylum seekers, points out that:

"These systems are developed to be a link between the juridical part of the assessment of an asylum application and the societal interest in knowing who comes to Norway, there identity, all those things. If you look from a human perspective, or from the perspective of expert knowledge on children's welfare [barnefagligperspektiv], we know that the skeleton develops in different ways. So, I can have a chronologic age of 24, but my physical look can correspond to me being 17. Right? And then I can have a physical age of 17, but mentally, I am maybe 14 years old. So the skeleton and the need for care do not necessarily go hand in hand. There are often big discrepancies. And that is what is problematic. That one makes choices and focuses on medical age tests and, to put it mildly, disregards the opinions of those who know the children and can say something about their need for care or psycho-social development, their mental maturity, these things. Because these things are just as important." (Interview with Magnus, NGO representative)

What Magnus points out as being the bridge between the juridical part and the societal interest in who enters the country, brings us back to the issues of sovereignty, citizenship, control and belonging. The application of the age test becomes, thus, another mechanism for state simplifications (Scott 1998), where a brief set of criteria determines an asylum-seeking child's legal and political identity. Going back to the hegemonic struggle between the two discourses on identity (Vitus and Liden 2010) – children and asylum seekers – the determination of the right one bears consequences on the future prospects for asylum-seeking children. In addition, the significance of what might seem as a bureaucratic detail of correct age lies in the gap in rights for those under and over 18, or 15. The margins, constructed in the oscillation between legibility and illegibility of state practices, open up for a two-fold differentiation: firstly in the

difference between being a child and an adult, and then between being a child (under 15) or a child (over 15).

The issue of age becomes an example of boundary setting concerning access to rights and welfare services. As seen earlier, vulnerable groups such as children, are entitled to greater care and protection than other societal groups. Asylum seekers, once and if they manage to prove that they have valid reason for entering Norwegian territory, are then further defined based on age. As shown earlier, for a child under 18, the assessments in the asylum procedure needs to have a child sensitive approach and the threshold for what constitutes persecution and leads to a fear for one's life has to be lower (UDI 2014a). In this way, the question of access to rights such as education or health services will depend on an ostensibly simple matter of being 17 or 18. In addition to the matter of rights, the age will also define what the reality for each child will look like in the following months or even years. Minors aged 16-18 will be placed in asylum centres for unaccompanied minors [EMA mottak] that are under the jurisdiction of UDI. Minors under 15 will be placed in care centres [omsorgssenter] under the jurisdiction of Child Welfare Services [Barnevernet] (Liden 2017, 122). In this way, the access to welfare services will depend on the role and identity given in relation to the line drawn at the age of 15. Whether one will be able to go to school or have a right to psychological counselling can be determined by a simple age test. Taking a short detour, I would like to elaborate on the differentiation between children younger and older than 15, as it introduces yet another struggle between the legibility and illegibility of state practices.

With the goal of implementing the principle of non-discrimination and equal treatment for asylum-seeking children as for other vulnerable children, in 2008 the Norwegian state introduced a reform that transferred the responsibility for those under the age of 15 from UDI to the Child Welfare Services. At the same time, the responsibility for those older than 15 stayed with the Immigration Directorate (Liden, Stang, and Eide 2017). As one of the main principles of the Convention on the Rights of the Child, the non-discrimination principle as defined in Article 2 (United Nations 1989) ensures equal treatment of every child under the age of 18. Differentiated treatment enforced by the Norwegian state through the reform of 2008, thus, opens up for discrimination and implies a breach of the international convention that, as shown earlier, has precedent over national legislation. Through such legal discrimination, asylum-seeking children

between the age of 15 and 18 are transformed into a new category upon whom a different set of rules can be exercised and rendered visible ensuring thus efficient state control. Between the legibility and illegibility of state practices concerning age and its effect on asylum-children's wellbeing, margins of belonging or exclusion are created leaving those between the age of 15 and 18 in a space filled with uncertainty.

Finally, an important matter is the role expert knowledge plays in the formation of one's self-image and perception. The consequences of age tests on the self-image can be severe as they define not just the rights, but also expectations and responsibilities a certain age carries (Liden 2017, 120). In the difference between individual and social age, where the latter is relational and based on a comparison to something else, the former is understood as maturing and is connected to the sum of one's capabilities and lived experiences. Social age can be expressed by raised expectations towards the child and its capacity to fulfil tasks, take responsibility and be included in the decision-making process (ibid.). Representing complex social realities, both individual and social age in the encounter with expert knowledge undergo a process of simplification (Scott 1998) before being represented through measurable means such as chronological age the age test provides. Providing a tool for the state to make a population legible and fit into legal frameworks designed for them, the use of expert knowledge in determining the exact age participates in the forging of identities for asylum-seeking children that they might not be ready for.

4.2.3 **Mental health**

"Another aspect is mental health. There are many who are not granted protection based on strong humanitarian considerations if there is not enough documentation that proves that these children have psychological troubles and that they have some diagnoses etc." (Interview with Magnus, NGO representative)

In the interview, Magnus directed my attention to an aspect of protection assessment that I had taken for granted. When thinking of asylum-seekers, not only children, but also men, women, families and elderly, I thought of trauma and mental health problems as an inevitable consequence of the journey. However, in the space where help is guarded behind well-established borders of the welfare system, the assessment of who truly needs medical help and whose needs are bogus is intertwined in the question of granting asylum.

Intersecting with the approach to margins as a space for managing biopolitical objects of governance (Das and Poole 2004, 10) that I address in more detail in chapter six, assessment of mental health also constitutes an important aspect of spaces of evidence. In its standardization project (Scott 1998), the Norwegian state juxtaposes the personal stories told by asylum-seeking children to expert knowledge providing assessment of their mental health condition. In the search for more information about the process, I met with two legal guardians and an NGO representative, and through their explanations of the process defined by contradictory stories, I show the unreadability of rules that creates an uneven field from which few leave as winners.

Caroline: I did take some action. Some things that I know are important for being able to get residence. That is to acquire health documentation. That is very important.

Me: What kind of health information?

Caroline: I think that is something Badih has to tell you himself.

Badih: After I get that my mom is dead, I wasn't really good. After I see flesh during the day and had nightmares. And therefore I talked to UDI about that I should go to psychology. And so, therefore, I go to psychology.

Caroline: He goes to BUP[8]. That is you get, you get to do good things together. He gets help, and at the same time we get an epicrisis where there is often some diagnoses and that is a very important document to send to UDI.

Me: Do they assign higher priority to assessing the case?

Caroline: No, you get higher chances of getting residence.

(Interview with Caroline and Badih, legal guardian and asylum-seeking child)

For Caroline, acquiring health documentation is a crucial step towards ensuring that the asylum-seeking child gets the residence permit. Showing that expert knowledge trumps the personal stories told by the children themselves in asylum-interview, Caroline's story illustrates the way that state in its rational form operates. However, another legal guardian, Sunøve, tells a different story:

"I have never managed to get hold of a psychologist from day one. I don't understand how you do it, really. […] It is very difficult. It is very difficult to find someone for the underage. First of all, it is only those under 15 who get to live in a care centre where you can get a psychologist. But, if you are between 15 and 18 you go to a

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[8] BUP is the Norwegian Child and Adolescent Psychiatry [Barne- og Ungdomspsykiatrisk poliklinikk]

regular asylum centre. [...] It is very difficult to get an appointment at BUP. It must be something local they have there. That they have some kind of different system." (Interview with Sunøve, legal guardian)

Sunøve has been a legal guardian for several decades at the time of our conversation, and her lack of success in acquiring a psychologist is not a result of a lack of experience in the field. The frustration she expresses with not knowing how to ensure medical help for asylum-seeking children points in the direction of a different dimension of the state than the rational one. While her association of psychologists with asylum centres is logical, Caroline tells me her efforts have been independent and a result of a struggle:

> *"I don't know [how many legal guardians manage to get medical evidence]. I have fought for it. Because there was a doctor at the asylum centre where Badih lived before who was very generous with distributing medicine. He medicated with a lavish hand. And so, I was super strict with him. It is ok to give medicine, but first it will be determined what they will get medicine for. So I wanted him to be directed to BUP. No, no… But I didn't give up. And then it changed. And then he got an appointment very quickly. And then he got help and I got the documents I needed to send."* (Interview with Caroline, legal guardian)

The difference between the two stories is striking. In the struggle of acquiring the medical documentation, a new form of state presence is encountered, not only by the legal guardians, but also by the asylum-seeking children. The real consequences of engaging with this form of magic are represented in the possibility of getting the residence permit, and the necessary medical help. The lack of transparency that influences both Caroline's and Sunøve's experiences where it is uncertain how to achieve the desired goal are further entangled with a sense of danger that failure represents. Finally, while the asylum-seeking children become more vulnerable in the process of awaiting help, the state, through the unreadability of its rules regarding access to mental health services as well as by juxtaposing medical proof to personal stories, finds new ways of channelling power and controlling the outcome of the asylum process. In this way, all four components of the magical presence (Das 2004, 226) are fulfilled providing the state with an entrance point for governing not only territories, but also life and death (Das and Poole 2004). With no proved need for medical help, the stories of each of the children are discredited as "bogus" and illegitimized. In the

tension between legibility and illegibility of the state practices in this field, margins are recreated, leaving asylum-seeking children without the necessary help.

4.2.4 **Competing in an uneven playing field**

With knowledge as a key component that ensures the legibility of the state and its governance, in the spaces of evidence, asylum-seeking children with their personal stories encounter the Norwegian state in both its rational and magical form. In the juxtaposition of expert knowledge to personal stories that all three examples illustrate we witness the tension between legibility and illegibility of state practices. Forging in this way the margins that run through, and not along the borders of the state, the state reinforces both vulnerability and power. In the case of justifying the reason for seeking asylum, country information provided by Landinfo portrays complex social realities as objective facts leaving no room for asylum-seeking children's interpretations of fear and danger they feel. At the same time, the vulnerability of their utterances which might not fully correspond to the country reports UDI has at their disposal, opens up for rendering their stories false and their reasons for being in Norway illegitimate. When determining the correct age, the very essence of national identity where children play a special role is brought into the equation. Through the deployment of expert knowledge manifested in the age test, uncertainty is managed by determining who gets to fall under the category of being a child and who does not. Implying a potential risk of deportation that the children associate with danger, obscurity and vulnerability the state is recreated in its magical form. However, for the rational state, rendering a group or population visible ensures easier control and governance. In the allocation of new identities, children are forced to assume a role the age test allocates for them, no matter whether they mentally or socially fit into it. Finally, in situations where mental health can be used as evidence to ensure acquisition of a residence permit, access to such health services is available to selected few; the circumstances under which medical help is given remain under a cloud of uncertainty. In this way, personal stories of trauma are neglected due to lacking evidence, which was not possible to obtain in the first place.

Through all these different situations, asylum-seeking children encounter the Norwegian state as a force that has the power to define their past, present and the future. Loosing each battle in the spaces of evidence, they lose their history, remain powerless

and their very reasons for being in Norway become illegitimate. The state, on the other hand, retains its power by rendering the unruly populations on the move visible and legible, and thus easier to control.

4.3 Spaces of policy and law

"Think, if it was you who was fleeing a war

What would you do to give your children a future

How would you wish to be treated

If tomorrow everything changed

If tomorrow it was you who needed help."

- Asylum song [Asylsangen], The Bee's Niece[9]

These verses marked the beginning of the demonstration in front of the Norwegian Parliament on October 18th, 2017. After having walked from the Oslo Central Station to the Parliament building with torches, several hundred people lined up to hear the different speakers raise their voices against the deportations of October Children. Organized by the *Union of Legal Guardians* [Vergeforeningen Følgesvennen], movement *Enough is Enough* [NOK er NOK] and *Refugees Welcome Afghan Lives Matter*, the demonstration gathered the attention of different actors in the field – politicians, activists, actors, artists – as well as a large audience of supporters.

I was standing there in the first row holding a torch. The crowd, in one voice, repeating "La dem bli, la dem bli[10]". I kept looking at this boy who was the reason why I was there. He was about to go on stage and give a speech, right there, in front of the Parliament building, where those with the power to take away both his childhood and his future sit. Speakers were lining up one after another, adults and children, raising their voices against injustice. Their voices strong, and yet, there was a pinch of sadness marking the unsaid – they will be sent back in a matter of weeks despite everything. And then there was a voice that was not there on stage, and still, we all heard it. We heard it when we got the notice that standing in front of the Parliament building was fine, but hanging banners and messages on its walls was not. We hear it in the silence

[9] Personal translation from Norwegian
[10] Let them stay, let them stay

after every speech. In the sadness. We heard it in the despair of our own voices. And still, the 17-year old boy next to me went up on that stage.

"I am sad also for all my friends who have to leave Norway. All who turn 18 now. They boys who live in asylum centres, they need help from you and me today. Life is different for them. [...] Deportations to Afghanistan have to stop. Temporary permits until the age of 18 have to stop. And we must not forget. Children seeking refuge are first and foremost children. I beg you, don't send more back to Afghanistan. Thank you."

Shahu speaking at the demonstration

Figure 3 - Demonstration

He spoke Norwegian. Not a nice west-coast dialect, nor the slang of the east side of Oslo. His Norwegian was experience based; a mix of the language of institutions and bureaucracy, of the many different local expressions and dialects from places in which he had lived and of all the feelings of sadness and fear. His sentences did not have the right word order, but he knew the word *innvilget*.[11] And yet he had almost no education. For him, *innvilget* was a good word. He was granted the permission to stay. Still, he

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[11] granted

knew that for most of his friends that word was out of reach. So he spoke for them. And his voice was strong. It give me hope and still made me sad.

The impressions from the demonstration against the deportation of October children illustrate the state as an independent entity with a life of its own, present both through its writing practices of banner prohibition and through the silence in which its voice resonates loudly as the voice of those demonstrating. "[O]n the one hand, law is seen as a sign of distant, but overwhelming power. On the other hand, it is also seen as close at hand – something to which local desires can be addressed"(Das and Poole 2004, 22). Intertwined with one another, the state and the people gathered at the demonstration create a space in which the distribution of power is unequal and where the former governs the latter by maintaining order and giving it the possibility of having some power; the latter, accepting this, gives legitimacy to the former to continue deploying its mechanisms of governance that result in the marginalization and exclusion of refugee children. In this space where "the state is both feared and desired" (Das and Poole 2004, 24), the margins are materialized in the oscillation between the rational and the magical encounter with the state.

Asylum field in Norway, like in many other places, is highly politicized, and emotions and strong feelings can dominate the public debate and shape policy and the laws it rests upon. Changes in the laws and regulations pertaining to the asylum field in Norway did start emerging before 2015 as can be noted in the introduction of temporary permits for unaccompanied minor asylum seekers in 2009 (Risan, Grama, and Dabour 2014). However, it is the refugee crisis of 2015 that paved the way for the enforcement of stricter asylum policy in Norway reflected in the changes in the Immigration Act and consequent increase in numbers of declined asylum applications.

It is in the light of the refugee crisis that the theory of the state of exception becomes the key to understanding the changes in policy, as the urgency, or the necessity imposed by the crisis is what becomes a defining premise and means of legitimization of the established changes. Agamben (2005, 24) argues that the concept of necessity can legally be interpreted in two specific ways: "necessity does not recognize any law" and "necessity creates its own law." Building on these premises, I will argue that the actions of the Norwegian state in regard to the changes in the Immigration Act were a result of an interplay between the two interpretations. The changes such as the removal of the

reasonableness criterion and the introduction of the restricted permits were both a result of the creation of new laws and regulations and of the lack of recognition of the existing international legal frameworks, such as the CRC or the Refugee Convention. While the changes in the legal framework are an interesting field of scientific inquiry, the details and juridical aspects of it are beyond the scope of this thesis. What I am interested in, however, is to see: 1. how one of the richest, most developed and internationally praised democracies such as Norway, introduces the application of such changes that arguably challenge the concept of democracy itself; 2. how it justifies and legitimizes these changes. The three aspects of the Immigration Act I will look at are: the removal of the reasonableness criterion, the introduction of temporary permits until the child turns 18 and the introduction of restricted permits based on identity.

4.3.1 **Removal of the reasonableness criterion**

The reasonableness criterion was part of §28 of the Immigration Act and meant that internal displacement could be considered if "the claimant, in the context of the country concerned, can lead a relatively normal life without facing undue hardship" (Schultz 2017). Once removed, the assessment of internal displacement can be done based solely on criteria of availability and safety (Liden 2017, 101). Given that countries such as Afghanistan are considered safe for returns (104), which was the country of origin for most asylum-seeking children in Norway at the time, the chances of getting asylum became less likely. In practice, denial of asylum based on §28 means that the applicant, in this case asylum-seeking child, does not have the need for protection. In the interview with Magnus, he explains what this criterion means:

"This criterion was focused on doing a reasonability assessment before directing people to internal displacement. This disappeared. When this disappeared, we see that more [asylum-seeking children] get temporary permits. Why? Because then there are more who don't fall under 28a or 28b and therefore fall under strong humanitarian considerations and there, the threshold is much higher for getting residence permit. The problem is that it is the politics that has led to the situation where more of those who should be allowed to stay in Norway, do not get to stay in Norway. And more are then either directed to internal displacement or they don't get protection based on strong humanitarian considerations. That is a problem. And that is, the problem is that one rejects to do a reasonability assessment of vulnerable groups such as unaccompanied minors. And therefore, in a way, directs them to internal displacement." (Interview with Magnus, NGO representative)

What Magnus is referring to is the presence of the state in its rational form "in the structure of rules and regulations embodied in the law, as well as in the institutions for its implementation" (Das 2004, 225). The established writing practices, maintaining ostensible legibility of the state ensure effective governance in the margins. Transformed into governable objects, as seen earlier, unaccompanied minors, rather than asylum-seeking children, represent a political entity upon whom new rules and regulations, such as the change in the reasonableness assessment, can be exercised. However, the rational form alone does not suffice in such form of governing.

"It is very problematic because internal displacement assessment has to conditions that have to be fulfilled before directing someone to internal displacement – that it is safe and accessible. And if you are going to interpret those terms... Safe... Is Kabul safe? Disputable.. Ok, we can, in a way, say both yes and no. I mean it's not. As a private person, I mean it's not. Accessible... Is internal displacement accessible at the time of the administrative decision? No, they cannot be sent back at the time of the administrative decision, therefore it is not accessible and one cannot in practice direct minors to internal displacement. That is a debate that will be taken now. To what extent is it accessible? That is the problem." (Interview with Magnus, NGO representative)

In this continuation of the explanation Magnus gives me, we witness the other presence of the state – magical. Disguised in the uncertainty and the possibility of interpretation, the two-prone vulnerability arises; the lack of clarity, and opening for discretionary assessments based on only two factors produces ways of channelling power that the state can use in its advantage. For asylum-seeking children, this vulnerability represented in the overwhelming power that decides upon their present and their future, reinforces their powerlessness.

Following the other characteristics of the magical presence (Das 2004), the deployment of mechanisms such as the removal of the reasonableness criteria, further introduces the aspects of danger represented in the possibility of deportation as well as the lack of transparency. The latter was specifically manifested when introducing the suggestion for removing the reasonableness criterion to the Parliament where the consequences of such a change were not addressed in enough detail (PRESS 2017, 19). Finally, it is the real consequences of this magical presence of the state that lead to the marginalization and exclusion of asylum-seeking children from the Norwegian society.

"I am a bit unsure about how clear I should be on that [expectation that the number of declined applications increases]. But yes, it will affect how we assess our cases. Because now the reasonableness criterion is removed so it is only about whether it is safe and available. There is one criterion that is gone, that we don't have to assess, then the use of temporary permits will definitely increase. And that is a consequence of it."(Interview with Cecilie, UDI)

As the quote from the interview with Cecilie from the UDI shows, the real consequences of the changes can be seen in aspects like the determination of the legal status of the applicant. I here distinguish between two types of consequences: direct and indirect. Indirect consequences I see as those pertaining to asylum-seeking children's well-being and prospects for the future that I will address in detail in chapter six. Direct consequences, however, vary from further application of the legal framework, to the impact on the asylum-seeking children's sense of identity and exclusion from the society. Looking at the application of the legal framework, if the asylum claim is denied based on the need for protection and §28, applicants' claims, as seen earlier, have to be assessed either based on §38 of the Immigration Act and strong humanitarian considerations or based on a particular connection to the realm (Liden 2017, 103). However, as seen in the first chapter, when considering the claim under §38, special attention needs to be dedicated to the consideration of immigration control regulations which ensure the safety of the society at large. This means that national interests concerning immigration can take precedent over individual rights and needs for protection.

The urgency and the state of exception does not only open up for the introduction of new laws and regulations, it also legitimizes state actions through the prioritization of the law where the protection of the society that resides on the inside of the borders is put forward. When assessments based on the two criteria that remain result in declined asylum applications field by children, what is left is deportation. However, being under 18, asylum-seeking children cannot be sent back to their country of origin at the point in time when the decision is taken, but have to be left in a form of limbo, waiting for further decisions about their lives and futures to be made by someone other than them.

4.3.2 **Introduction of temporary permits**

Coming of age is often portrayed as an important moment in an individual's life, signifying a transition from childhood to adult life. For asylum-seeking children, coming of age signifies the arrival of the unknown, overwhelming fear and the possibility of having to start a new refugee journey. As Dadvar tells me in an interview:

"I think from time to time what different between Norwegian boy and Afghan boy. I think Norwegian boy just think when I become 18 years old and be free and mature a lot. But Afghan boy thinks I am 18, I go to Afghanistan, to war and hell." (Interview with Dadvar, asylum-seeking child)

The reason behind the complex fusion of feelings and expectations can once again be traced back to the written practices of the state and its need to (il)legitimize certain groups of people. In 2009 (PRESS 2017, 14), some of the first changes aiming at stricter asylum regulation, such as temporary permits for asylum-seeking children between the age of 15 and 18, were introduced. These permits are given once it has been assessed that the child does not have the need for protection, but cannot be returned to their country of origin as a minor because they do not have a caregiver there (Liden 2017, 107). Once an asylum-seeking child receives such a temporary permit, childhood is put on hold, and they "wait for life to begin again" (Interview with Susanne, legal guardian). In this temporality, we see "inclusion and capture of a space that is neither outside nor inside"(Agamben 2005, 35), and it is here that the life on borderlines of asylum-seeking children comes into being.

In the oscillation between the rational presence of written practices, and the magical one retained in the form of rumour, the state, through temporary permits, defines and delimits the lives of asylum-seeking children in Norway. While the written practices originate in the legal framework, the rumour is maintained through the hope and fear in the process of appeal that children with temporary permits go through. At the demonstration, in the continuation of his speech, Shahu directs attention at this:

"I am sad also for all my friends who have to leave Norway. All who turn 18 now. They boys who live in asylum centres, they need help from you and me today. Life is different for them. When they are introduced to their residence permit, then they are bored. Then they don't have the will to do anything. Everything becomes different immediately. I understand it well and I know how they feel."

- Shahu's speech at the demonstration

The consequences waiting has on asylum-seeking children when faced with a temporary permit that Shahu points out are an aspect I will address in more detail in the following chapters. What I want to dedicate my attention to now are the real consequences his speech addresses. When engaging in magic, one of the key outcomes are consequences that are real (Das 2004) and not illusive as the act might imply. In the same manner engaging with the magic of the Norwegian state, the boredom, emptiness and lack of will to do anything that Shahu describes are very real for asylum-seeking children with temporary residence permits. Furthermore, the reliance of the legal framework on the discretionary assessments backed by the expert knowledge I explored in the previous section, maintain the two-prone vulnerability, lack of transparency and the sense of danger from being deported among asylum-seeking children. In this way, all four components of the magic of the state (Das 2004) are present in the everyday lives of children who wait for their 18th birthdays with complex feelings of hope and fear.

At the same time, temporary permits also carry a symbolic language of authority (Hansen and Stepputat 2001) through which the difference between those who belong and those in the margins is maintained. As shown in the first chapter, the idea of belonging in the Norwegian society is closely connected to the concepts of nation, state and welfare system. In order to be able to connect the symbolic meaning of the temporary permits to the prospect of belonging and inclusion into the society, allow me to take a brief detour and elaborate more on the connection between the welfare system and collective sense of belonging.

The borders of the welfare system align with those of citizenship and belonging to the Norwegian nation state (Hagen and Hippe 1993). However, as I showed in the first chapter, in addition to having the Norwegian passport, there are a few more principles that a citizen needs to follow in this carefully designed Nordic system. As an expert on children and migration, Åse, explains the argument used in the process of enforcing stricter asylum regulation where

"[t]he generous welfarestate will not manage a big immigration. So here we have to take a grip to protect the welfarestate, because the welfarestate, as a system is built on contributing when you can and receiving when you need. Right? So that there is solidarity in the system. And that there is trust in that system. And who one feels solidarity towards is very significant for this to be a sustainable model. And then there is the understanding that immigrants, and none the less refugees, if they become very many, they come and they extract, they have the need, but they have not been a part of building it up." (Interview with Åse, researcher)

The solidarity and trust as principles behind the sustainability of the welfare system that Åse points out, run through the core of the challenge behind temporary permits. Not being allowed to work, and with no legitimate reason for being in Norway, asylum-seeking children only *extract* the benefits of the generous welfare system. Not having been a part of the process of building the system up, they become intruders and the border of exclusion becomes clear. Discussing the thought of belonging, Magnus explains:

"so, it is like, as illegal or temporary, you are not accepted [in the Norwegian society]. If you get the permit, take part in the work life, with papers or a card that says you are accepted here, you can be accepted as a part of the society more easily. So, I don't think there is much pointing in the direction that unaccompanied minors can be have a feeling of belonging in Norway." (Interview with Magnus, NGO representative)

Between not belonging, and spending up to several years waiting in uncertainty, asylum-seeking children experience life in the margins of the well-kept welfare system and the Norwegian state. In this way, in the oscillation between the magical and rational, symbolic and practical state practices, asylum-seeking children are taught the difference between access and belonging.

4.3.3 Introduction of restricted permits

"I have been granted a residence permit with the possibility for one year. Also, UDI needs passport. And I don't have any family in Afghanistan. I only have one uncle that I have contact with them. It will be about a year. Also, if I don't manage me to deliver a passport to them, what will happen? They send me out? Maybe. Therefore it is a thing I am very worried about." (Interview with Badih, asylum-seeking child).

The fear and uncertainty Badih expresses in the interview illustrates the reality of many asylum-seeking children who have been granted a temporary residence permit with a restriction due to matters of identity (Government.no 2017). This specific form of

residence permit caused misunderstandings and complications among refugee children, their legal guardians and even government bureaucrats (Interview with Linda, representative from the County Governor's office). Due to the lack of clarity, the presence of the state in its multiple forms overshadowed the lives of those on the borderlines whose lives started revolving around the ways of securing ID documents.

From Scott's (1998) perspective, the need of the state to know exactly who the people on its territory are, gives a clear explanation for the introduction of this type of permit. In the project of standardization and legibility of the population within its sovereign territory, people who move and migrate represent some of the biggest challenges for the state (ibid.). In that light, demanding valid IDs from people who have just crossed the borders comes as no surprise. However, demanding documents from individuals fleeing war and potentially living in displacement for years, becomes a challenge both for the state and the asylum-seeking children. In such context where the acquisition of a valid ID resembles an impossible mission, rather than a bureaucratic process, the burden of the law becomes an overwhelming reality for those in the margins. As Badih explains it:

"I have gotten residence but with a possibility for one year. Also, UDI needs passport. Afghan passport. Also I don't have any family in Afghanistan. I have only one uncle that I have contact with them. It will be almost a year. And if I don't manage to myself that I deliver a passport to them, what will happen? They send me out? Maybe… Therefore it is a thing I am very worried about." (Interview with Badih, asylum-seeking child)

For Badih, the restricted residence permit that ensures legibility of state practices, becomes the very opposite – representation of state illegibility. The difficulty of acquiring a document that he has never owned and the thought of going through the complicated process in order to maintain the residence status represents the overwhelming power of the state that define and delimit his life. In this tension between legibility and illegibility of state practices, children like Badih experience life in the margins of the Norwegian state. Furthermore, the state is not only present through its written practices, but also in the form of rumour (Das 2004). As Linda, a civil servant from the County Governor's Office explains:

"It was difficult because there were so many rumours in the Norwegian society. There was a lot of debate in the newspapers, many pages on Facebook and there was a lot of wrong information. There was wrong information about what it meant to have an

identity restraint. Many thought the children's applications were rejected." (Interview with Linda, County Governor's Office)

The rumour, however trivial, had real consequences on the lives of the marginal. It reinforced their vulnerability by implying they would have to leave Norway, and provided new channels for power circulation through the possibility of interpretation granted in the vagueness of permit's description. I will provide two examples signifying the practical and symbolic consequences of restricted permits.

Talking to Linda from the county municipality, I learnt about a bureaucratic challenge her department was facing around the time of our interview. While restricted based on identity, this type of residence permit in question does give asylum-seeking children a legal and legitimate reason for being in Norway. As such legitimate objects, the children have the right to the same opportunities and privileges as Norwegian children. In this specific case, the matter in question was the release of financial means provided by the state to the asylum-seeking children for which, a bank account was necessary. Given the identity restriction, children could not open a bank account as their identity was officially unknown and they had no documents to show for it. For this reason, the financial means could not be released to those who had the rightful claim to it, and the children experienced the real consequences of having to wait for the challenge to be resolved. The tension between legibility and illegibility of state practices, manifested in the uncertainty and lack of access to the financial means once again brought the margins into life.

Another example was a drawing illustrating the difficulties of acquiring identity papers (Figure 4), and the explanation of the drawing, given by Badih:

"Contact, it is very difficult to feel that I have to find a person in Afghanistan and have contact and (ask) can you fix for me a passport. Right? And even though he has to be known and has to be a part of my family so without I cannot trust him. And then the other point is answer. I have written a complaint that I cannot deliver a passport but I wait for answer for what kind of answer I get from UNE."(Interview with Badih, asylum-seeking child)
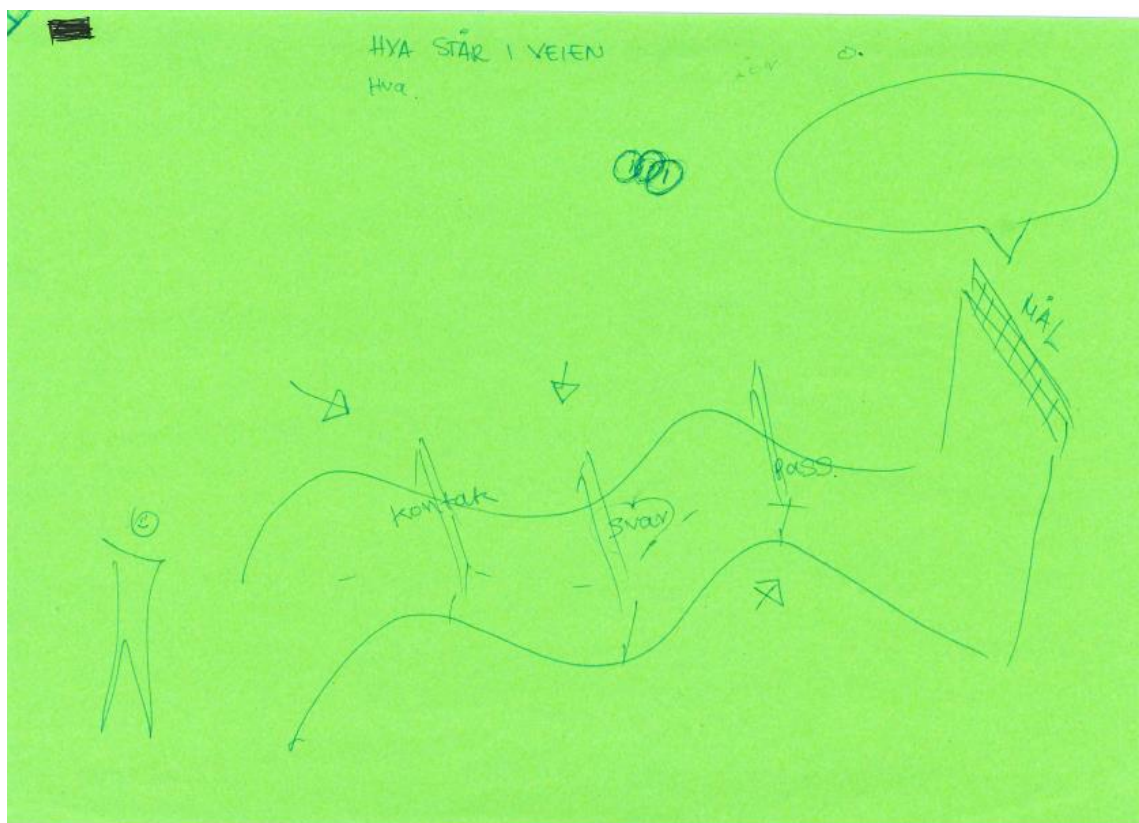
Figure 4 - What is in the Way[12]

At the time of our conversation he could not see any other obstacles on the way to achieving his goal which was to live in Norway. I had expected challenges such as language, school, friends and family or anything else connected to starting a new life in a new context. Yet, for him, at the age of 17, a passport, to which he did not attribute any value as he had never owned one in his life, suddenly represented a defining aspect of his life. Going back to the overwhelming power of the state as manifested through its written practices, the rumour and implied danger of consequences in case of not acquiring the passport sustains the channelling of power by reinforcing the vulnerability of asylum-seeking children such as Badih. Expressing the fear of having to leave Norway if he does not succeed in attaining a valid ID, Badih (Interview) talks about life where everything revolves around the obstacles he illustrates in the drawing. In this way the state is transformed into an entity that is both feared and wished for.

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[12] Translation from left to right on the drawing: the first obstacle: contact, second obstacle: answer, third obstacle: passport, goal

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4.3.4 **Law and policy in a state of emergency**

Changes in the law such as the introduction of temporary permits, permits with a limitation based on identity, and the removal of the reasonableness criterion need to be seen in the light of the turn towards stricter asylum policy. Situated in the contested space between politics and law which in itself is a defining premise of the state of exception (Agamben 2005), the changes analysed point out the threshold of the law meant to protect the rights of vulnerable individuals such as asylum-seeking children. In the process ensuring state control and legibility, as seen throughout this section, the children are subjected to newly designed laws and regulations that juxtapose their rights to national interests.

Drawing on the sense of collectivity (Das 2004) manifested in the need to protect the welfare system from those who could exploit it, the borders between those who belong and those who do not are reinforced. In what I term spaces of policy and law, in the margins materialized in the struggle between legibility and illegibility of state practices, children seeking asylum meet the magical Norwegian state that is both distant and close at hand. In that oscillation the state ensures its effective governance of the illegitimate objects that temporarily reside on its territory.

4.4 **Illegitimate objects of governance**

In this chapter, I attempted to uncover how the lives of asylum-seeking children in Norway are defined and delegitimized by the state, and thus answer my first research question. Before pulling the strings from the different parts of this chapter together, allow me to briefly introduce an example (Scott 1998, 78) gives to illustrate how the state looks at populations, and from there draw parallels with my own research.

The state in its utilitarian form depends on the legibility of its population in order to ensure efficient interventions and thus retain control and power. In the process of making populations legible, state practices of identification, registration, coding etc. ensure uniformity, but also open up for discrimination. Giving the example of a city map that clearly illustrates areas in which Jewish population lives, and in what numbers, state projects of legibility "can, of course, be deadly as well" (ibid.). In the case of the city map, the visibility of the Jewish population resulted in deportations of a great

number of people. Finally, such "legibility implies a viewer whose place is central and whose view is synoptic" (79). With the state assuming such a privileged place, control and effective governance are guaranteed.

In the case of asylum-seeking children, language, knowledge and law and policy as tools for ensuring legibility of state practices dominate the life in the margins that children seeking refuge occupy. Through the use of language, they lose individuality and are transformed into a homogenous group hidden behind technocratic terminology, representing *other children* for whom different rules, than those for Norwegian children apply. Furthermore, in the encounter with the state in the spaces of evidence, the children lose their histories, and their reasons for seeking asylum are rendered illegitimate. Finally, as such illegitimate objects of governance, in spaces of law and policy, they meet the state through the newly created regulation where national interests trump their individual rights. In the oscillation between its rational and the magical presence, in spaces of (il)legitimization, the Norwegian state, through the tension between legibility and illegibility of its practices, retains power and control over the unruly subjects that enter its territory. Asylum-seeking children, on the other hand, in that encounter lose individuality, history and rights, remaining vulnerable and staying in a space neither inside nor outside of the Norwegian society.

5. Spaces of Control

"There is no room for me here. Why don't I pack up and go? Nothing astonishes these people. They take everything in their stride. They neither rejoice at a birth nor are saddened at a death."

- Season of Migration to the North, Tayeb Salih (1991)

On the trajectory of exclusion, as I showed in the previous chapter, spaces of (il)legitimization, as the first stop, provide an arena for negotiations of identity transforming asylum-seeking children into illegitimate objects upon whom special laws and regulations can be exercised. In a state of emergency, the sense of collectivity helps create a clear line between those who belong and those who do not. The right use of language, new laws and regulations, and expert knowledge together become a powerful mechanism the state can deploy to ensure its presence and manage populations that are undesired. In this way as Das and Poole (2004) argue, a clear margin runs through the very body of the state.

Continuing with its need to impose order and control, the state now has to manage its borderlines where newly created objects of governance reside. Through the process of (il)legitimization, the state manages to render asylum-seeking children clearly visible which "amplifies the capacity of the state for discriminating interventions" (Scott 1998, 78). Actualized in real places – asylum centres, borderlines of the society become clearly marked and transformed into spaces of control. On a well-kept distance, from urban areas and the society as a whole, in spaces of control, I will argue, asylum-seeking children are not thought discipline nor are they being punished. Rather, in the spaces that I explore in this chapter, temporality and purpose are used to maintain the distance and foster uncertainty, through which the children's lives can be governed and controlled. Spanning the consequences of the present, spaces of control, delimit children's freedom of movement and being in the future introducing the state in its magical form. Stripping their lives off value and purpose, through what appears as magic due to danger, obscurity and vulnerability, in spaces of control, wasted lives are forged and made ready for disposal.

In this chapter, I continue following the trajectory of exclusion, looking this time at the "margins as peripheries seen to form natural containers for people considered insufficiently socialized into the law" (Das and Poole 2004, 9). In what I define as spaces of control, margins are materialized in the different types of asylum centres for asylum-seeking children. Using Foucault's (1984, 3) argument that the spaces that shape our daily lives are not created in a vacuum, I look at asylum centres through relations of temporality and purpose. Intertwined with one another, the purpose is predefined by the temporality given that asylum-seeking children are only supposed to live there while their asylum application is being assessed; likewise, temporality is reinforced through the purpose of waiting rendering time more visible than ever. As a mirroring reflection to the utopia of the welfare state, which, for refugee children, is now but a blurry shape in the distance, asylum centres fulfil all the criteria of Foucault's (1979) heterotopias. While this typology will not influence the structure of this chapter, I find it important to illustrate why I see asylum centres for asylum-seeking children as heterotopias through the six principles[13] defined by Foucault. Addressing the three types of asylum centres – arrival/transit, waiting and detention, I will show how the lives of asylum seeking children are, through the deployment of rationality and magic, stripped of sovereignty and devoid of power to influence both their present and their future. Focusing primarily on ordinary, waiting asylum centres, I structure the analyses along the axes of purpose and temporality arguing that the spaces of control forge wasted lives ready for disposal. In this way, throughout this chapter, I answer my second research question – what do lives of asylum-seeking children in Norway look like?

5.1 Asylum centres as heterotopias

1. Heterotopias of crisis or deviation

In his definition of this principle, Foucault (1984) uses adolescents, menstruating women and the elderly as examples of individuals in a state of crisis. Given the precariousness of the situation that defines the lives of asylum-seeking children, as well as the state of transition, it is clear that they are individuals in a state of crisis. When it comes to individuals in a deviant state, Foucault gives examples of those in prison and psychiatric hospitals, as "individuals whose behaviour is deviant in

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[13] Titles of the six principles do not exist in the original text, but are designed by me for better overview

relation to the required mean or norm" (5). As I have shown in the previous chapter, asylum-seeking children being criminalized in the spaces of (il)legitimization are rendered deviant, sustaining thus the claim that asylum centres are a form of heterotopias of deviation.

2. Changing purpose

According to Foucault (1984, 5), each "society, as its history unfolds, can make an existing heterotopia function in a very different fashion […]." Asylum centres, no matter their form, are supposed to be only a temporary place of residence for individuals waiting for their asylum application to be processed. However, the often long processing time can make this period vary from a few months, to a couple of years (Valenta and Berg 2012, Liden 2017). Adding to the uncertainty of procedural time, constant moving of asylum-seeking children from one asylum to another, results in a situation where the purpose of this heterotopia varies from a roof over one's head to it becoming a home with an expiration date. Furthermore, given the forging of different identities as introduced in the previous chapter, depending on the role one is given, experiences of space change. In this way, both for people on the inside, and on the outside, these places can be something to feel afraid of, support or feel pity for.

3. Incompatible spaces in a single real place

The mosaic of spaces represented in an asylum centre as the single space incorporates the truly incompatible spaces of hope and despair, spaces of fear and desire, spaces of protection and vulnerability. Again building on the newly created identities, where some can indicate hope, while others failure, the marginality of being both inside and outside imposed through the process of (il)legitimization is here manifested in the physical form of the asylum centre.

4. Slices in time

While vacation villages that Foucault (1984, 7) gives as an example of temporal heterotopias, result in associations with a feeling of peacefulness, relaxation and the absence of worries, asylum centres represent quite the opposite. In temporal heterotopias, an individual, for a period of time, dives into a different reality which

has its expiration date. Furthermore, the connection of heterotopias to slices in time can also be manifested when "men arrive at a sort of absolute break with their traditional time" (ibid.). Not much unlike the cemetery example that Foucault gives, asylum centres represent a loss of life which I will show later in this chapter.

5. I open at the close

The fifth principle introduces a very important mechanic of heterotopias – access. Opposite to public places, heterotopias can only be accessed and exited in predefined ways; compulsory as in prisons or through rituals and gestures like in religious objects. Asylum centres in my approach fall under the first category where the entrance is compulsory given that refugee children have no other option than to comply. Moreover, they are built upon the illusion that everyone can enter, while in reality, "we think we enter where we are, by the very fact that we enter, excluded" (Foucault 1984, 8). The dynamics of the process of entering and exiting, intertwined with the vulnerability of exposure while still hidden depict a realistic image of the life of children seeking refuge in asylum centres.

6. Juxtaposed to the remaining space

Finally, heterotopias "have a function in relation to all the space that remains" (Foucault 1984, 8) and represent extreme opposites to it. Differing slightly from Foucault's definition of heterotopias of illusion and compensation, I see the manifestation of the last principle in its juxtaposition to the remaining space represented in the collective us. As I argued in the previous chapter, the sense of collectivity drawn through the deployment of tools such as laws and regulation marks a clear difference between us who belong, and them who do not. Asylum centres in this way represent, the juxtaposition between them who are controlled inside, and us who occupy the remaining space.

With these six principles as a vantage point, I further explore spaces of control as "both the cause and effect of social ordering" (Meusburger, Gregory, and Suarsana 2015, 5) where the outcome of asylum seeking children's future is determined. These real places with their carefully designed mechanisms of opening and closing, well defined purposes and juxtapositions, remain a form of magical entity. With the boundaries of temporality

and purpose maintaining the illusive presence of the state, and remaining invisible for the children who live there, the magical presence defines my informants' encounter with the Norwegian state. While data from my fieldwork only covers ordinary reception asylum centres for unaccompanied minor asylum seekers[14], I here also briefly address transit and detention asylum centres using data from the interviews and secondary sources.

5.2 Asylum centres as a physical form of margins

Upon arrival to Norway, and registration with the Police Foreign Unit, asylum seekers are placed in asylum reception centres (NOAS n.d.). From 2016, the arrival time is divided into two types of asylum centres – arrival asylum centres [ankomstmottak] and transit asylum centres [transittmottak] (UDI n.d.-a). Depending on the case, the time asylum seekers spend in such centres varies from a few days, to a several weeks.

Through the registration at the Police Foreign Unit, the state starts gathering information on the individuals that have entered its sovereign territory. As shown in the previous chapter, it is here that the process of (il)legitimization begins with the sawing doubt of the asylum-seeking child's identity and age. From there, the state in its utilitarian (Scott 1998) form, by placing the children in asylum centres, continues exercising mechanisms of control necessary to manage the unruly subjects.

Arrival and Transit Centres

Already at the arrival centres, asylum-seeking children are subjected to obligatory tuberculosis, and voluntary hepatitis and HIV tests (NOAS n.d.), providing the state with the possibility to exercise its sovereign power through the production of a biopolitical body (Das and Poole 2004, 10). Given the low number of tuberculosis cases among the Norwegian population (LHL 2016), the question of whether the testing is done in order to protect asylum-seeking children, the Norwegian society or both, once again sheds light on the dilemma between priority of protection – is it national interests

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[14] As explained earlier, due to the time limit of this project, I did not manage to obtain a permit to conduct research at the premises of an asylum-centre. Therefore, all the information I present is extracted from the interviews with asylum-seeking children, legal guardians, civil servants and experts in the field.

or individuals' rights that come first? While detailed understanding of tuberculosis testing for humanitarian or health security reasons stays beyond the scope of this thesis, the issue of medical testing upon arrival provides a valuable link between spaces of (il)legitimization and spaces of control. When conducting medical tests on newly arrived individuals, the state deploys its mechanisms for identification and control supported by expert knowledge, imposing on those individuals new identities – such as deviant, unfit, normal or ill. Describing the medical exam, Ahmed tells me:

"When I came to Norway, I had blood tests and so. You are totally normal. You don't have any diseases." (Interview with Ahmed, asylum-seeking child)

What his reflection on the event shows is the impact such a test has on his sense of self and identity. Not having any diseases means being normal. It means hope. Entering the very bodies of individuals, the state in this way, exercises its sovereignty not only over territory, but over life and death (Das and Poole 2004). Furthermore, through such process of identification, the Norwegian state, makes newly arrived populations visible, placing them in the margins, in "a space between bodies, law and discipline" (11). By rendering the asylum-seeking children visible and legible, the state forges new identities for them and ensures its efficient control. What for the state is a rational form of governance, for asylum-seeking children like Ahmed, becomes magical as they lose any power over their lives engaging thus in non-transparent processes where a negative outcome implies danger and vulnerability.

From arrival centres, asylum-seeking children between the age of 15 and 18 without adult caregivers are moved to transit asylum centres for unaccompanied minors (UDI n.d.-a). Here, the waiting which, as I will show will become a defining characteristic of their childhood and life in Norway, begins. The time spent in a transit asylum centre should be as short as possible covering primarily the period in which the asylum seeker is waiting for the asylum interview at the UDI (ibid.). After the interview, the children are transferred to ordinary asylum centres for unaccompanied minors.

Depending on the case, they can spend from a couple of weeks, to several weeks or even months in transit centres. Here, the importance of 'objective' and 'subjective' time (Vitus 2010, 33) comes into being, marking the beginning of the experience of time through waiting and, later, despair. On one hand, for the state, days or weeks spent in a

transit centre are just a matter of bureaucratic procedure. For asylum-seeking children, on the other hand, the experience of the same time might seem as never ending waiting. In the situation where life is dependent on the outcome of the interview, time is no longer implicit, "it seems to become visible" (ibid.). And while visible, it is also uncertain, blurry and unknown reinstating the magic of the state in all its overwhelming power to govern children's lives by maintaining vulnerability.

Once the asylum interview is done, the children between the age of 15 and 18 are moved to regular asylum centres for unaccompanied minors operated by UDI. As this is the place where the majority of children spend most of their time while in Norway, I focus my attention on analysing how state control is deployed and operated there. However, before analysing in detail ordinary asylum centres, I would like to reflect on another place that some asylum-seeking children experience while in Norway – detention centres.

Detention centre - Trandum

Located approximately 13km from the Oslo Gardermoen airport, Trandum operates as a the only detention centre in Norway and is under the jurisdiction of the Police Foreign Unit (Sivilombudsmannen 2017, 10). A marginal space in itself, Trandum is the last stop for migrants who have been labelled as illegal, on their way back to their country of origin. Whether because one has entered the Norwegian territory illegally, or because the legal status has changed and the person has thus become "illegal", Trandum becomes a point of transition from one reality to another, from a form of freedom, to imprisonment. While Trandum and the many challenges around it can be an independent master's thesis, I only briefly address it in regard to asylum-seeking children, as it contributes to the creation of spaces of control.

Children with temporary permits, once their 18th birthday approaches have very few options left – money incentivized voluntary return[15], deportation or a new flight. While all three options involve leaving the sovereign Norwegian territory, only deportation results in entering another heterotopia – detention centre. According to the Police

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[15] As a part of the agreement on voluntary returns, asylum-seekers who apply for assisted returns with IOM receive financial support from the Norwegian government (International Organization for Migration n.d.)

Foreign Unit, individuals in Trandum on average spend less than 24 hours in the detention centre before being sent home. However, Ombudsman's report (2017) shows that individuals at Trandum can spend days, and even weeks waiting for deportation. As I will show when analysing ordinary asylum-centres, time spent waiting influences children's perception of value and meaning of their lives and the uncertainty of waiting in a detention centre further emphasises the impression of life being wasted.

Going through spaces of (il)legitimization, I have shown that asylum seeking children are turned into illegitimate objects upon whom new rules and regulations can be exercised. Arriving to the point where they reside in a detention centre, asylum seeking children's identity is attributed another characteristic – criminal. While individuals in Trandum are not detained in order to serve a sentence (Sivilombudsmannen 2017, 10), they are devoid of freedom due to an offense. The forging of a new identity, contributes to the legitimization of more coercive measures deployed. In the interview with a researcher in the field of migration law, Tanja, she argues that:

"[T]he discourse about criminal immigrants and, more importantly, about migration as crime is a central mechanism for justifying the use of more coercive border control measures. We have, in recent years, seen that border controls have increasingly begun to rely on the use of coercive measures which are otherwise characteristic of the criminal justice system, such as for example imprisonment and the use of criminal sanctions." (Interview with Tanja, researcher)

The introduction of such strict measures builds on the discourse of crimmigration and attribution of new identities to individuals deemed unfit for the welfare state and the well-guarded Norwegian society. In this way, writing practices of the state such as limitation of freedom, justified through the state of exception, mark the lives of asylum-seeking children not only as illegitimate or false, but as criminal.

On the other hand, the very notion of Trandum, becomes a point of reference and ensures control over asylum seeking children, without having to actually detain them. Talking about his present life, Ahmed tells me:

"I don't believe in the Norwegian authorities. Maybe the police come and pick me up at the asylum centre and sends me to Trandum. And then send me to Kabul. There, I have nobody. In Afghanistan I have problems. Conflicts." (Interview with Ahmed, asylum-seeking child)

The fear expressed by Ahmed when talking about the possibility of being sent to Trandum defines his everyday life. Hearing stories from other children who have been sent to the detention centre and knowing that his 18th birthday is approaching, the possibility of being sent to Trandum becomes ever more real. With time becoming visible, and state practices unreadable and covered in uncertainty, asylum-seeking children experience the magic of the Norwegian state present in the form of rumour. Even before having to deploy restrictive measures, the state through the rumour exercises control from a distance ensuring thus, as I will show in the following section, easier removal of the children for whom nobody is responsible.

Defined through both purpose and temporality, arrival and transit centres, as well as the detention centre, do not exist in a vacuum, but are real places – heterotopias. Meant for those in a state of crisis, with specially designed mechanisms of opening and closing, encompassing spaces of fear, hope and desperation in that one real place, these centres fulfil the different principles of Foucault's (1984) heterotopias. Living in a real place covered with uncertainty through which the magic of the state is maintained, when entering the first asylum centre, asylum-seeking children enter the spaces of control in which their future is being conceived.

5.3 The places defined by waiting – ordinary asylum centres

Trying to interview an asylum-seeking child living in an ordinary asylum centre for unaccompanied minors, I had obtained the official permission from his legal guardian and the boy himself. As agreed, I arrived to the asylum centre where we he lived and where he personally suggested we should meet. After a relatively complicated journey from Oslo, due to a lack of public transportation going to that area, I arrived to the small town where the asylum centre was located. Following the instructions the boy had given me, I approached the building where the asylum was supposed to be. Circling around an old building in quite a degrading shape, I could not see the door or any sign signalling the existence of an asylum centre. After having asked a few locals, I found the entrance to what looked more like an abandoned storage building, than a place for living. Upon arrival, I was met by several staff members and told to wait under the assumption that I was visiting as a private person, an acquaintance or a friend. As the conversation started

flowing and I explained that I was a researcher conducting an interview with a boy living there, the situation changed from that of a friendly conversation into an interrogation. After a while of negotiating, claiming the right to conduct the interview and invoking the permits granted by other instances, the decision was made that the interview could take place, but outside of the asylum centre. Accepting that, I patiently waited for the boy to come back from school and we went to a café to talk.

The reason for not allowing the interview to take place in the asylum-centre, lies in the legal regulation where the permit for researching on the premises of the asylum centre needs to be obtained from The Norwegian Directorate of Immigration (UDI 2014b). As another tool for ensuring the legibility of a society (Scott 1998), the regulation on researching at asylum-centres ensures state control over the generation and distribution of information and knowledge compiled in places that operate under well-defined rules.

Figure 5 – An asylum centre

From the secluded location, the hiddenness in plain sight to the strict rules of entering and exiting, ordinary asylum centres for children seeking refuge are heterotopias in a true sense of the word. However, it is not so much the description of the place that is of value for the relationship between the state and asylum-seeking children, but rather its modus operandi through which spaces of control come into being. While Foucault's (1979) work on the state's need to exercise power over its population and control in many ways inspires this thesis, in regard to asylum centres I see Whyte's (2011) concept of the *myopticon* as opposed to Foucault's *panopticon*, as more suitable for analysing spaces of control. Building on Scott's (1998) narrow vision of the state, myopticon operates "at a blurred distance, as applicants, though they are subject to constant documentation, spend most of their time out of direct sight" (Whyte 2011, 19). When the boy I was interviewing, asked for permission to have a visitor, the employees at the asylum centre granted it without further ado. However, once it turned out that the visitor was a researcher and that the conversation was an interview, the situation was put into a new context in which the lines of control became blurred. By removing the conversation from the premises of the centre itself, an alleged difference was created, providing a sense of privacy while simultaneously exercising control from a distance. This myoptic view, hidden and yet visible, shapes the everyday life of asylum-seeking children in asylum centres bringing back the state in its magical form as always present. Using the two characteristics of every heterotopia – purpose and temporality, and Whyte's myopticon, I explore spaces of control where asylum-seeking children's everyday lives are being managed and controlled.

5.3.1 **Purpose**

The issue of removing the conversation from the premises of the asylum centre, to a café, triggers interesting questions. What is the purpose of asylum centres for unaccompanied minors? What aspects of children's lives are controlled and how? Is the lack of visible presence a form of control? Starting with trying to understand how civil servants, asylum seeking children and their legal guardians see asylum centres in practical terms, I move on to explore issues of control and the rationale behind the state practices.

"In theory, an asylum centre for unaccompanied minors should be a roof, a bed, food and an adequate offer sufficient for a child."(Interview with Linda, County Governor's Office)

The explanation given by Linda at the county municipality office, sums up in short the most basic needs an asylum centre for children older than 15. The vagueness of the description, brings an important aspect into the picture – uncertainty through which the magic presence of the state is produced. Just as in the other aspects such as the asylum interview, the legal framework or the age test, so does the vagueness in the regulation of asylum centres for this group of children shape and affect the life of each asylum seeking child. In contrast to care centres for asylum seeking children under the age of 15 which are regulated through the Norwegian Child Welfare Law (Valenta and Berg 2012), centres for children over 15 are not regulated by law. While there are circulars with guidelines for running such asylum centres with adequate attention to health services, psycho-social work, school and other important aspects of children's lives (UDI 2017a), the documents are not legally binding. The uncertainty created through the legal framework leads to real consequences manifested in the staggering variety of services provided in the different asylum centres (Sønsterudbråten, Tyldum, and Raundalen 2018). While services such as common meals, activities or number of staff might seem like simple, easily solvable, bureaucratic issues, the rationale and real consequences run as deep as the margins separating asylum-seeking children from the Norwegian children. I will address the consequences in the following chapter, and now illustrate the rationale behind maintaining uncertainty and status quo as a part of daily reality of asylum-seeking children that transforms the state into a magical force that controls their lives.

Throughout the three conversations with asylum seeking children, uncertainty imposed a dominant tone in each interview, even though they all had a different legal status. For Ahmed, who had a temporary permit until the age of 18, uncertainty related to life in asylum was expressed through thoughts about police coming to take him to Trandum at any time, through not knowing which of his friends would be the next to run away and through not knowing what the next morning would bring. For Badih, who got the residence permit with identity restriction, the uncertainty lied in awaiting the transfer to a new place of residence, in the matter of not being able to get a passport and in the unknown tomorrow. Finally, for Dadvar, who had received a residence permit for the

coming three years, uncertainty was manifested in not knowing when or where he would move and again. What all three cases illustrate is the overwhelming presence of the state, both as a rational entity with its written practices of demanding passports and determining places where the children would live, and in the form of rumour maintained in the fear of being picked up by the police and deported. The uncertainty of what tomorrow would bring through which asylum-seeking children's vulnerability is constructed and the state power is retained. Furthermore, the lack of transparency and a sense of danger the rumour of the state carries, brings to light the magic of the Norwegian state through which the children's experiences in asylum-centres are shaped. Hidden in the uncertainty, yet present in the anticipation and fear of the next action that will determine what tomorrow would look like, the state provides asylum centres with a distinct purpose – maintaining status quo. Operating in the margins, as containers for the unruly, between the legal and the political, Norwegian welfare state uses the status quo allowing *time* to render children's lives meaningless and ready for disposal.

No need for discipline

From a utilitarian perspective, seeing the state exercise its need for control and maintain sovereignty by managing its margins through the establishment of asylum centres comes as no surprise. Following the logic of heterotopias, asylum centres, with their well-defined purposes and modes of operating, form seemingly simple real places in which asylum seeking children, as newly formed illegitimate objects, are contained.

However, the logic of heterotopias, follows Foucault's (1979) concepts of discipline and punishment, where the all-seeing eye and constant surveillance render state's power visible. In this way, with detailed schedules, inmates' and prisoners' every move is controlled and managed. On the other hand, in the view of myopticon (Whyte 2011, 21) lives of asylum seekers are controlled through the lack of organized activity, emptiness of the everyday and the lack of clarity on where surveillance ends or begins. Let me illustrate this through a drawing of a weekly schedule one of the boys, Dadvar, made for me (Figure 6).

Figure 6 – My week

Having been granted a three-year residence permit, Dadvar spends his days doing repetitive activities – school, exercise, football, thinking. Compared to children who have been denied asylum, Dadvar has the motivation to go to school and learn Norwegian, in order to increase his chances of, one day, getting a permanent residence permit. However, the lack of activity and the emptiness of the everyday, leave a lot of room for thinking or simply doing nothing. The absence of authority or influence on the daily schedule of each of these children becomes visible in the empty spaces left for overwhelming thoughts Dadvar exposes in his drawing. Non-existent common meals or activities, no structured counselling or any other involvement in children's lives echo the lack of care for improving the lives of asylum seeking children. In that way, the pedagogical or disciplining role of the state (Das and Poole 2004, 9) is absent bringing

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[16] Translation from left to right by column: Monday: school, exercise, football, thinking; Tuesday: school, exercise, football, thinking; Wednesday: school, //, //, //; Thursday: school, thinking very a lot; Friday: //, //, //, //; Saturday: only in the room, //, only in the room, //; Sunday: Sometimes in activity

to light the new form of control in which emptiness and distance are key components. It is, however, important to point out, that the quality of services varies from one asylum centre to the other. As Susanne, explains:

"I experience that there are very big differences in how asylum centres organise it [activities]. In some asylum centres, they are very good, they have activities every day, the youth has a lot to do, and it is good activities. And in some asylum centres there is more or less nothing. And then, it is of course like that, with fewer activities, there is more time to lie alone in the room and think about the hopeless situation one is in. And… when there is a lack of activities, you notice it immediately, it is reflected on mental health." (Interview with Susanne, legal guardian)

What Susanne describes, corresponds to Dadvar's drawing. The lack of activities leaves him with the time to think about the hopelessness of his situation. In the illegibility of the legal framework, where responsibility for ensuring activities is not allocated to anyone, the emptiness of children's lives becomes a grey zone through which the magic of the illusive state is maintained. Just like the situation with inviting a visitor and having company, the lack of interference in the daily lives of asylum seeking children by those in charge, creates an ostensible sense of freedom. Providing adolescents with a sense of ownership over structuring their lives, without giving them the necessary tools results in emptiness and strengthens uncertainty. The very absence of interference, in situations where it's arguably most needed, becomes a form of control. The lack of need to discipline "governable subjectivities" (Whyte 2011, 21), shows a new purpose of such asylum centres – facilitating smooth removal. In this way, disposal of unfit individuals, that I will address in the following chapter, is enabled, while both retaining control and maintaining a distance. Experiencing the danger, consequences and vulnerability that the emptiness of the everyday carries, asylum-seeking children see the magical Norwegian state close-up, and yet somewhere in the distance.

5.3.2 Temporality

"They are of course very aware that they are in a hopeless situation… When…When things become… When things start taking a long time, for example, when we have a child who sits in an asylum centre for several years, I mean, all children understand this is how it's going to be. Life is put on hold for two years." (Interview with Susanne, legal guardian).

The feeling of life being put on hold that Susanne talks about, dominates the content of most interviews conducted with the asylum seeking children and the legal guardians. Waiting, as a dominant paradigm in asylum centres for unaccompanied minors, brings up the importance of relations of temporality upon which heterotopias are built. In a transition from children to adults, from asylum-seeking children to unaccompanied minors, from unruly subjects to illegitimate objects, relations of temporality play a key role in the creation of new identities.

Hidden behind technocratic terminology, asylum seeking children are still children; and "[c]hildhood is a process of both 'being and becoming' embedded in time and temporality" (Vitus 2010). Among asylum-seeking children, the burden of this process of being and becoming, that any childhood carries, is emphasized with the precariousness of their situation. Once again oscillating between its real and magical presence, Norwegian state, through the practices engrained in the legal framework as described in the previous chapter, enforces uncertainty, ensuring that the children continue wondering how long the waiting would last, and when it would stop. This uncertainty provides the state with new forms of power (Das 2004) through which the disposal of asylum-seeking children can be facilitated. For children themselves, the magic of the state that produces the uncertainty renders them vulnerable, dependent on the unknown decision of the state, leaving them in a state of deterioration and despair. I argue that, in the same manner as with the relations of purpose, fostering uncertainty serves the myoptic view of the state through which the removal of asylum seeking children can be done efficiently while maintaining a distance.

The future in the present

Embedded in one's sense of presence is the prospect of the future (Vitus 2010, 28); being able to project ourselves into the future actions, accomplishments or places where we want to be, dictates the way we live our present. While a Norwegian teenager, might be thinking of what university to go to, or what career to choose, asylum-seeking children of the same age see the future only as blurry shapes defined by residence permits, passports and letters of rejection. For asylum-seeking children, the absence of future, manifested in the waiting and uncertainty becomes their present and dominates their everyday life.

In order to gain a better understanding of asylum seeking children's perception of time, I asked them to draw their weekly schedules and to write a few sentences about life before, now and in the future. By analysing one of these drawings, I will show the overlap between present and future in the lives of asylum-seeking children.
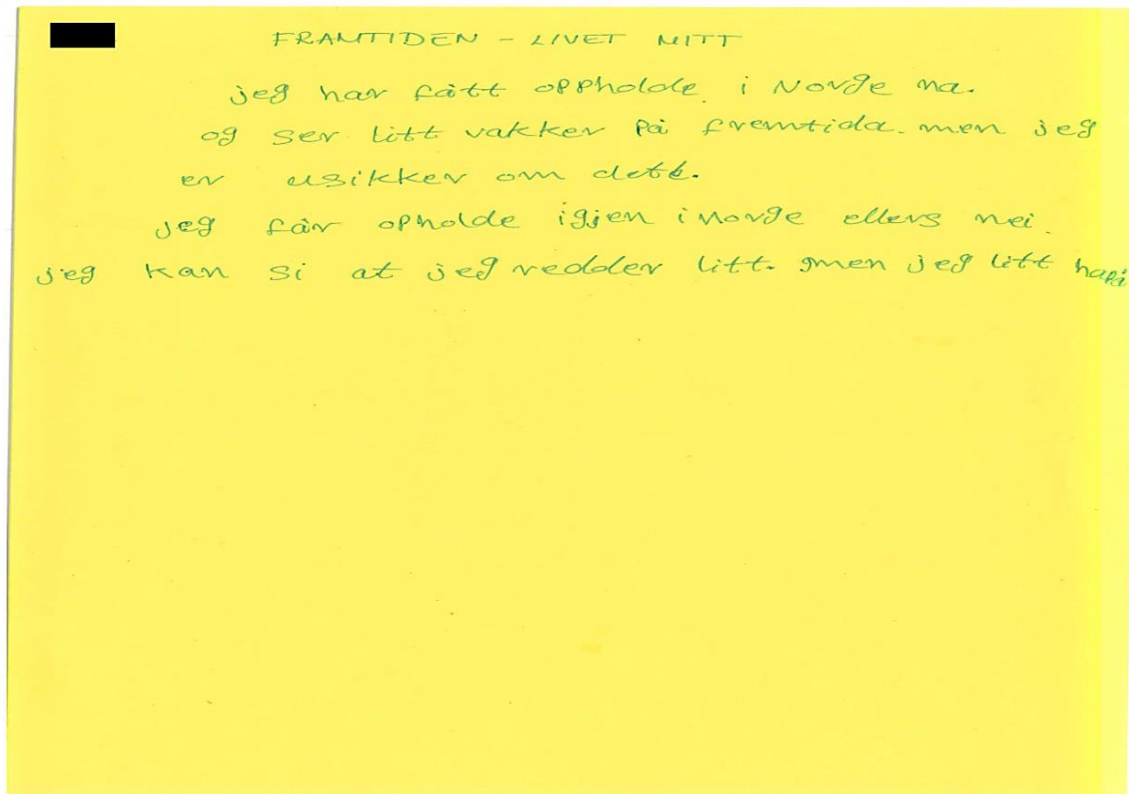
Figure 7 - My life in the future

What Badih writes in his short essay about the future (Figure 7) is:

"I have gotten residence permit in Norway now. And I look a bit beautiful at the future. But I am unsure about this. I get residence permit in Norway again or not. I can say I scare a bit. But I a bit hope." (Interview with Badih, asylum-seeking child)

At writing time, Badih knows that he has a residence permit that is ID restricted. In his future, the uncertainty of prolonging it is bothering him, just as much as in his present. The uncertainty resulting in a combination of fear and hope is also illustrated through his words. Finally, it is only in the future that he can really start looking at the future. In this way, "the future becomes something into which these children cannot possibly genuinely project themselves" (Vitus 2010, 40). Devoid of the possibility for such projection, for children like Badih the present becomes meaningless. The systemic removal of agency manifested in the possibility to shape both the present and the future,

is obtained through state practices that ensure its control and effective governance, as shown in the previous chapter; at the same time, asylum-seeking children are left with a sense of powerlessness. Lacking the power to change the status quo, they surrender to the emptiness of the everyday life, where some try to stay active by repeating the same actions from day to day (Figure 6), while others disappear into abyss (Figure 8).

Allow me now to take a step back from the individual and take a look at the broader picture. Looking from the above, and deploying its myoptic vision, the state sees asylum-seeking children as nothing but governable objects. Everyday lives, futures, hopes and fears appear only as blurry shapes in the background. Removing the prospect of the future through specific writing practices, the state takes control over and shapes the present of each child. At the same time, represented in the awaiting of its next move, be it transfer to a new residence or a detention centre, it is always present as a rumour. Constantly present, the state becomes an overwhelming force that controls the time having the power to make it more or less visible for each individual. On the other hand, transformed into powerless objects with little agency left, asylum-seeking children see the state as a magical force hidden in the possibility of being close at hand and distant at the same time. Engaging in the magic, and having no control over time they cannot exercise any authority over their lives. What is left is to surrender them, entirely to the state or use the last agency for a new flight. In this way, in the spaces of control asylum-seeking children are stripped not only of freedom, but also of sovereignty over their own lives.

Killing time

Ahmed met me in a town close to where he lives to save me the trouble of changing transport. Telling me when he would be done with school, he asked me to wait for him at the bus station. On the way from the bus station, he told me he went to school in this place, even though, as he explained, he rarely went to school these days. He said we could talk at his school. While walking, he told me that the only reason why he went to school that day was because he was meeting me. Otherwise, he usually stayed at home.

For Ahmed, meeting me that day was the one activity to break everyday reality of emptiness (Figure 8). His life in the asylum centre, just like the lives of many others is not only defined through the temporality of the present and the future, but also through

the of emptiness and waiting. Emphasising the visibility of time (Vitus 2010, 33), the lack of activities and the emptiness of everyday leads to a feeling of 'wasting time' rendering life meaningless.

"A few years ago, the whole asylum seeking process lasted for approximately two months. And now, maybe a couple of years. And that makes the situation more visible. What does it do with children? And the lack of activities, in combination with the hopelessness because more and more are denied asylum, and that one waits longer and longer. That, in combination with not having anything to do, that is life threatening for children." (Interview with Susanne, legal guardian)

As Susanne points out, the combination of uncertainty, lack of activities and the intensive waiting emphasises the visibility of time. While some asylum centres offer activities and try filling the void with something meaningful like football or going to the cinema, the existence and quality of such offers, as shown earlier, varies greatly from one centre to another (Sønsterudbråten, Tyldum, and Raundalen 2018). Furthermore, even when such offers exist, children like Ahmed who have lost hope in the future, choose not to participate.

Drawing his weekly plan (Figure 8), Ahmed, who has a temporary permit until the age of 18 explains:

"I am, like, totally powerless. I don't have the energy to do anything. Because they took my whole life. My whole plan for the future. […]. Now I don't have the wish to do anything. I don't have the wish to learn Norwegian, play football, be with the boys. I don't wish to go for a walk. I am very sad." (Interview with Ahmed, asylum-seeking child)

MANDAG	TIRSDAG	ONSDAG	TORSDAG	FREDAG	LØRDAG	SØNDAG
Vanligvis tar buss til skole kl o9:3o UDI tok mitt hele håp Da jeg fått Avslag.				Går ikke På skole fordi har ikke lyst til å gjøre hoe på skolen		

[17]

Figure 8 - My week

In a similar manner, Badih, drawing his weekly plan (Figure 9), explains:

> *"Yes, we have some activities, but it is not often. Because, therefore, have I forgotten where in the week they are. Yesterday have we been swimming and we have been bowling. That was fun." (Interview with Badih, asylum-seeking child)*

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[17] From left to right by column: Monday: usually take bus to school 9:30 UDI took my whole hope when I gotten rejection; Tuseday; Wedenday; Thursday; Frday: don't go to school because don't have wish to do anything at school; Saturday; Sunday

MIN UKE

MANDAG	TIRSDAG	ONSDAG	TORSDAG	FREDAG	LØRDAG	SØNDAG
Skole	Skole	Skole	Skol	Skole	Ski: Hjemme	//
trening	trenig		//	//	besøke	Cotball

18

Figure 9 - My week

Badih's explanation of the joy activities bring puts an even stronger emphasis on their absence and the effect of it. Forgetting when activities happen, as they are so rare, days start looking alike. With no activities that the drawing point out, what is left is emptiness. In order to kill time, children like Ahmed, Badih and Dadvar overwhelm themselves with thoughts of despair, spending a lot of time alone in isolation. What I hope each of the three drawings has illustrated is the loneliness we read between the lines showing that nothing happens, or in the explicit sentences of spending time thinking and in the room. The emptiness in each drawing becomes a constant reminder

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[18] From left to right by column: Monday: school, exercise; Tuesday: school, exercise; Wednesday: school; Thursday: school, //; Friday: school, //; Saturday: home, visit; Sunday: //, football

of the meaningless lives and in the awaiting of decisions on their asylum cases, time becomes more and more visible and defined by uncertainty. For Ahmed, who has a temporary permit until the age of 18, and with an appeal case that, as he says, has no chances of changing his reality (Interview with Ahmed, asylum-seeking child), time spent waiting becomes "wasted time" (Vitus 2010, 39). While two years for processing an asylum case might not seem like a long time, in the life of an adolescent, they account for a big part of their childhood, and most of their teenage period. Feeling like they have spent those years 'for nothing' as their applications are rejects, affects their sense of self and contributes to "living not only in 'no place', but as 'no one'" (Vitus 2010, 41). Building on the process of forging identities of asylum-seeking children as false, bogus or illegitimate, the state, by imposing the process of waiting, contributes to the creation of identities as 'no one'. Present as a rumour in the emptiness seen in the drawings, the magic of the state dominates the children's experience of time; the real consequences of feeling powerlessness, the danger tomorrow might bring, the obscurity behind the emptiness, and finally children's vulnerability that increases over time bring together all four components of the magic of the state (Das 2004). While the time wasted on waiting for the state ensures effective governance through emptiness and from the distance, for asylum-seeking children killing time reinforces a sense of failure forging *wasted lives[19]*.

5.4 Fostering smooth removal

I situate the chapter of Spaces of Control in the margins of the Norwegian state conceptualized as containers for the unruly populations who pose a challenge to efficient governance and intervention by the state (Das and Poole 2004). In this way, by placing asylum-seeking children in different asylum centres – transit, ordinary or detention centres – the illegitimate objects defined through spaces of (il)legitimization are managed in the margins of the welfare state. By exploring the interactions and relations between the state and asylum-seeking children, in those places, I aim to answer the question of what asylum-seeking children's lives in Norway look like.

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[19] While I understand that the term wasted lives is often associated with Bauman (2004), I here do not og into the concepts of globalizations and modernity and restrict the use of the concept to what my informants express. In this way, my use of the concept refers to the literal prospect of wasted lives due to failure and time spent doing nothing.

Margins, materialized in real places, asylum centres, and seen as heterotopias, operate on clearly defined mechanisms such as those of opening and closing, maintaining order and legibility of those on the inside. Here, the premises upon which heterotopias are built – purpose and temporality – open up for encounters between the state and asylum-seeking children. The state, through the specifically defined regulations ensures that asylum centres operate as basic shelter for children waiting on a more permanent solution, maintains its rational presence. On the other hand, asylum-seeking children, through the uncertainty of waiting, no prospects for the future, emptiness of the everyday, lack of activities and a feeling of wasting time, experience the state as illusive, dangerous, good and bad, practices which illustrates its magical presence.

Moving away from Foucault's conceptualization of control where the state, through a panoptic view, sees everything, I see control retained through a more narrow focus, corresponding to Whyte's (2011) myopticon, or Scott's (1998, 79) synoptic view. By maintaining distance, from this perspective control and discipline are exercised specifically in the lack of the visible presence of the state. In this way, while the rational presence of the state is ensured in the broad frameworks defining asylum centres' modus operandi, the rumour, hidden in the uncertainty of where control starts or ends, when the waiting ends and how, maintains the magic that asylum-seeking children experience. In this way, in the oscillation between the rational and the magical, another grey zone is created in which asylum-seeking children's lives are transformed into wasted lives that nobody has responsibility for.

6. Spaces of Despair

"The day here is a something without value, a mere torment suffered by living creatures as they await the night. Night is deliverance."

- Tayeb Salih, Season of Migration to the North

Following the trajectory of exclusion, in the previous chapters I have argued that asylum-seeking children are being removed from the Norwegian state through a process where political will enters the realm of legal frameworks. Through, what I define as spaces of (il)legitimization, the state transforms asylum-seeking children from unruly subjects into illegitimate objects upon whom specific rules and regulation can be exercised. With the use of language, expert knowledge and legal frameworks, asylum-seeking children's needs are rendered illegitimate leaving them to reside in the margins.

Ensuring efficient control of the margins, the state, through the establishment of asylum centres, gradually takes charge over children's lives. In the form of heterotopias, asylum centres as real places, operate on predefined principles ensuring the practical presence of the state. For the children, the uncertainty and the obscurity that define the spaces of control, reinforce a magical presence of the state that they both fear and direct their hopes towards. Going through the carefully designed spaces of control, asylum seeking children's lives are managed from a distance, and the emptiness of everyday life is maintained as nobody's responsibility. Devoid of power to take control over their own lives, they spend their days waiting and killing time. In this nothingness of the everyday expressed in the previous chapter, what does living even mean?

In this chapter, I look at the margins conceptualized as "the space between bodies, law and discipline" (Das and Poole 2004, 10) aiming to understand how the production of "killable bodies" (Agamben 1998) facilitates smoother removal of asylum-seeking children. Going back to the ideas of nation and state being closely aligned, I look at the transition from ensuring sovereignty over the territory, to exercising sovereignty over life and death. In the context of the state of exception, in the tension between the legal and the political (Agamben 2005), I explore what happens when politics enters the bodies of individuals. Arguing that the consequences on mental health are so severe, I

use the concept of *Homo Sacer* to show how bare the lives of asylum-seeking children are, and how easy it becomes for the state to dispose of them without facing consequences.

6.1 In the margins of the welfare state

Built on the imaginary of a society of homogenous peoples who all share the same identity (Hylland Eriksen 1993), the Norwegian state, as shown in the first chapter, draws its borders defining itself through a clear distinction between those who belong – the citizens, and those who are different and are left outside. The formation of a state whose borders align with those of the nation, poses challenges to immigration, making it difficult to determine the position of groups or individuals who are different, such as asylum-seeking children, in the Norwegian society. In addition, the Norwegian nation state and its welfare system go hand in hand, forming an almost inseparable entity. As shown earlier, the benefits of the welfare system such as equal access to education, health services or pension funds are available to those who belong defined through their citizenship status. In an effort to understand the emergence of spaces of despair, I look at the interaction of the asylum-seeking children with the state and the welfare system as two sides of the same coin. While I have analysed the complex processes leading to the creation of spaces of despair in the previous chapters, I here explore the oscillation between the rational and magical presence of the state as a way of dismantling horizons and hopes for the future.

So far, I have been arguing that the encounters between the Norwegian state and asylum-seeking children in different ways shape and define children's lives. In order to illustrate the penetration of the state, into the very bodies of asylum-seeking children, I will introduce a drawing where Badih shows me his network in Norway (Figure 10). The legal guardian, the lawyer and UDI, as employed by the Norwegian state, are all instances through which the state is present in the lives of asylum-seeking children like Badih. On one hand, the drawing shows that state as rational and present through the written practices that define the distribution of legal guardians and lawyers, or the legal frameworks under which UDI grants residence permits. On the other hand, while ostensibly distant as an instance to which wishes and hopes can be addressed, it also remains close as the source of fear originating in the possibility of not getting the

residence permit. In that change between distance and closeness, the magic of the state is presented to asylum-seeking children, slowly entering their lives and bodies.

HVEM ER RUNDT MEG
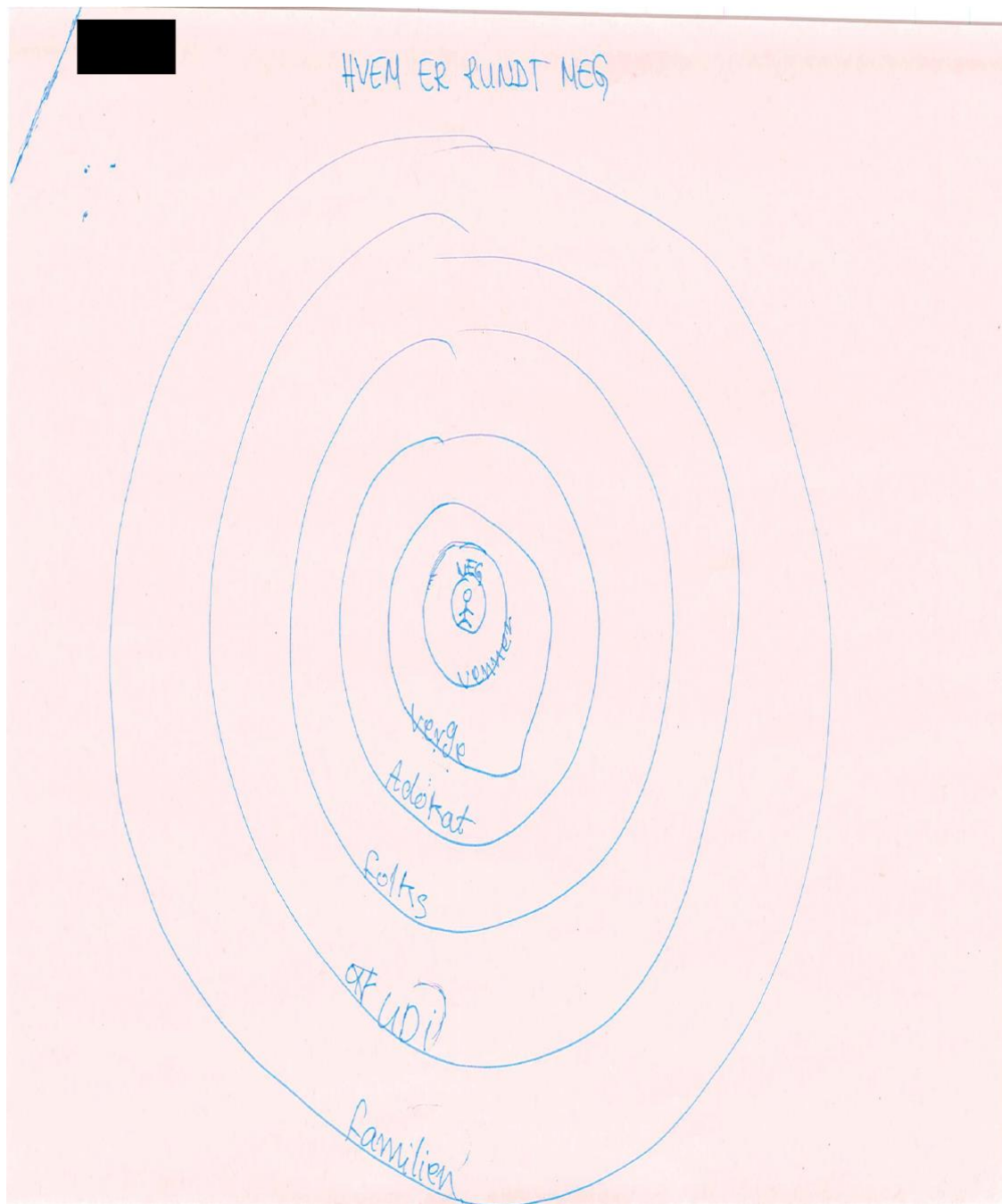
[20]

Figure 10 - Who is around me

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[20] Translation from the centre towards the outside: Me, Friends, Legal Guardian, Lawyer, People, UDI, Family

6.1.1 **The Norwegian state**

Remaining "pivotal in our very imagination of what a society is" (Hansen and Stepputat 2001, 2), the Norwegian state through its institutions and practices persists in maintaining the boundaries between those on the inside and those on the outside. Already with different skin colour, different language and different religious beliefs, children seeking refuge in Norway are visibly unlike those belonging to the "imagined community" (Anderson 2006) residing on the inside of the territorial borders they cross. Through their encounters with the state as shown in the previous chapters they are thought to learn the difference and positioned in the margins of the well-guarded Norwegian society. In a two-fold manner, the state becomes either a light at the end of the tunnel, or source of stress and pressure. I will illustrate this through examples of Badih's and Ahmed's stories.

Badih, as mentioned earlier has an ID limited permit that allows him to stay in Norway for a year. Within this time, he needs to deliver a passport in order to extend his permit. At the time of our meeting, high-school students in Norway have their autumn break, while he still goes to school. He tells me about it like this:

> *"Here it is in this week I have an autumn break. But the others are on holiday, but not me. Because I have to go, I have to be in a class for social sciences. So I have to be here in that social science approximately 50 hours. And that one is important for me because I have to learn that one when I apply for residence once again for three years. Then must I have exam. If the state is satisfied then can I one day get a passport. So then I still go this week to school." (Interview with Badih, asylum-seeking child).*

While he does talk about the fear of not getting the passport, Badih continues to believe that the state, which for him is far away and out of reach, will see his effort and knowledge and grant him the residence permit. Seeking motivation, he continues to go to school even when other children have holidays, maintaining the image of the state as just and compassionate. Similarly to the illustration in his network, the state maintains distance, while still closely controlling his future through the set demands. On the one hand, he has done everything in his power, to follow the channels of state bureaucracy in the attempt to lift the ID restriction; he has talked to his legal guardian, then the lawyer and the appeal has been filed. At the same time, while following the bureaucratic regulation, he has no power to decide upon his future, leaving the state with the possibility to dismantle or provide him with a horizon and a sense of future. In this way,

the magic of the state is maintained in a form of hope, however much ridden by obscurity and a lack of transparency.

On the other hand, Ahmed, whose temporary residence permit was about to expire a few weeks after our conversation tells a different story. Through a drawing (Figure 11) he shows me how he sees his relationship with the Norwegian state.
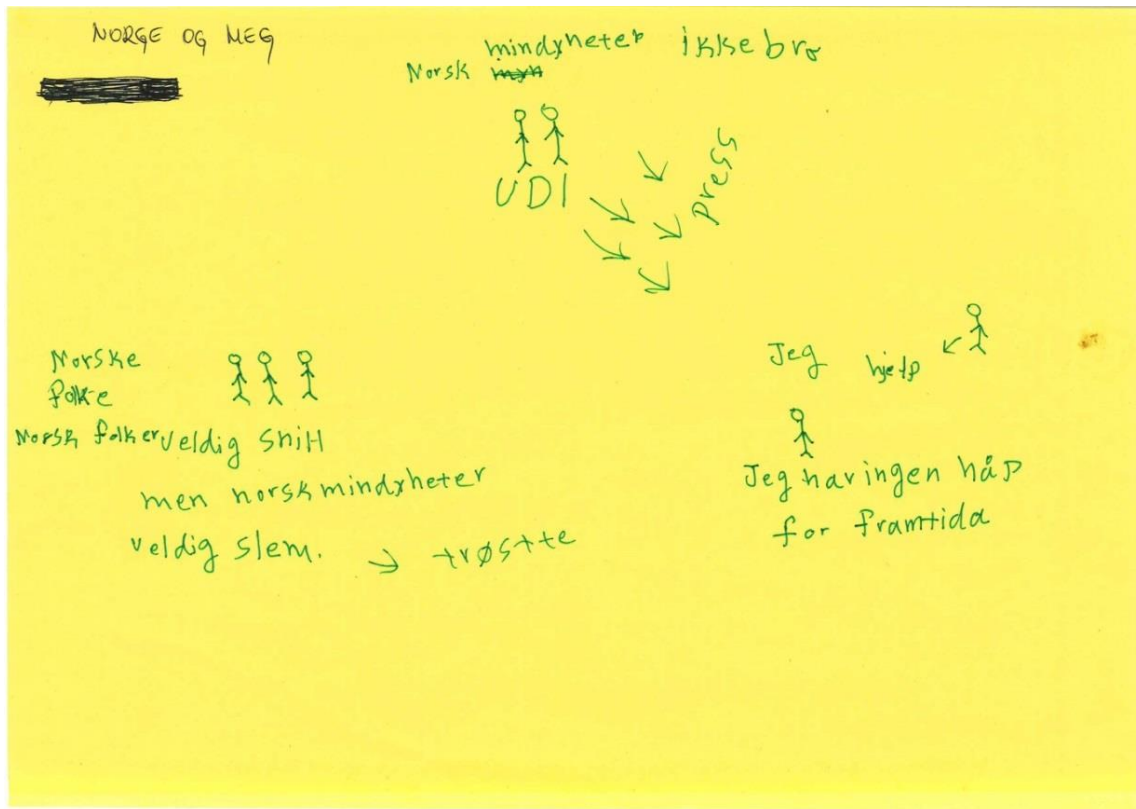
21

Figure 11 - Norway and me

In the drawing, Ahmed makes a clear distinction between Norwegian people who are good, and the Norwegian authorities who are bad. With a lack of education and knowledge about democratic processes, he does not see the connection between the regular people and the authorities who represent them. His drawing, just like his knowledge, is experience based. Given that the topic of the drawing is *Norway and me*, what is there, as well as what is lacking are important points for analyses. Firstly, in

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21 Translation: upper row – Norwegian authorities not good -> pressure; lower row left corner – Norwegian people very good, but Norwegian authorities very bad -> comfort; lower row right corner – me help, I have no hope for the future

Ahmed's perception of the state, the only present state actor UDI, which he assesses as 'not good'. UDI creates pressure for him to exit the country leaving him alone in a corner needing help and with no hope. The illusive power of the state channelled through the work of an institution such as UDI becomes a manifestation of the state's constant presence – both rational and magical. As a rational entity, the state governs and ensures its sovereignty thought its institutions and written practices. However, in its magical form, the state, by creating the *pressure* Ahmed describes, enters the feelings and thus bodies of asylum-seeking children.

For children such as Ahmed, the state is nowhere to be seen, yet the consequences of its actions are felt through the pressure, sense of isolation and hopelessness. This magical presence, just as in the spaces of (il)legitimization and control results in the real consequences that define the lives of asylum-seeking children. Furthermore, as strongly as the presence of UDI resonates among the asylum-seeking children, so does the absence of the other state actors raise important questions: Where are the institutions ensuring children's rights and protection? What are the consequences of their absence? Other than his legal guardian, who while not in the drawing, as he explains later, is one of the people comforting him, no other state actors are present or important enough to be placed on the drawing. Schools, psychological institutions, child welfare services, justice system, all remain absent in Ahmed's depiction of Norway. Given that encounters with the state through such pedagogical or disciplining institutions would arguably ensure gradual transformation into lawful citizens and create the possibility of joining the "imagined community", their absence signalizes movement in another direction. Exchanging the disciplining role of the state (Das and Poole 2004) with control, the state removes the possibility of becoming an equal citizen from the overall picture leaving asylum-seeking children in its margins. As a consequence, just like in Ahmed's drawing, children feel left alone, with no hope, having to navigate spaces of despair.

Furthermore, spaces of despair are not defined only through the lack of care, but also through a denial of responsibility. As a representative from an NGO explains:

"I think that if you have fled from a country where you feel like your authorities, your country's authorities are not capable of protecting you, you search protection in another country. And then you feel like you are being stopped, limited in a way. That

you are not welcome inside. What does this do to a person? And what does this do to people who are as young as unaccompanied minors who come to Norway? Well, you feel like you are not accepted anywhere. That none of them wants to take responsibility for you." (Interview with Magnus, NGO representative)

Removal from responsibility or its denial have been present throughout all the previous chapters. By drawing the lines of differentiation through the deployment of expert knowledge, language and new laws and policy asylum-seeking children are seen as the other children. Through maintaining the emptiness in which their lives are being wasted, and through the establishment of the legal framework that legitimizes the absence of appropriate action, the lack of responsibility for the lives of the most vulnerable dominates each of the spaces where their lives are being defined and negotiated. However, the real consequences of such denial of responsibility are perhaps best manifested in the children's encounter with the state through its welfare services.

6.1.2 **Welfare services for all?**

While the encounters with the state in its rational and magical form shape the experience of each asylum-seeking child in Norway, it is arguably their relationship with the welfare system that becomes a landmark defining their existence on the borderlines. Built on the three pillars – "universality, income proportional benefits and public services" (Hagen and Hippe 1993, 104) – the welfare system becomes a portrayal of the Norwegian state and society where everyone is taken care of. However, given the boundaries of belonging, what is the position of asylum-seeking children in the welfare system? What are they entitled to? And what do they get in practice?

While all modern societies that "have developed comprehensive systems of social insurance, protection and education" (Hagen and Hippe 1993, 86) are welfare states in one form or another, the Norwegian model stands out due to its basis in the three aforementioned pillars. Over the years, the system was gradually developed and improved, starting from ensuring basic workers' rights to regulating allowance for single mothers and wage continuation during sickness (92-93). In this myriad of services, analysing all aspects where asylum-seeking children come short is beyond the scope of this thesis. I therefore choose to focus on one aspect that is a recurrent issue brought up by my informants – access to mental health services. As Linda from the County Governor's Office says:

"I think, as I have experienced it, they encounter different sectors of the welfare state. [...]. But, if there is one area where I think this group comes short, it is mental health. They are children. Unaccompanied minor asylum seekers, they have nobody. They have been through a lot, both in their home country and maybe especially on the road that has been traumatizing. And many do suffer from different diagnoses. Many symptoms of posttraumatic stress, maybe mental disorders, a lot of sorrow, loss… They get, it is natural, there is a reaction on all that. And we experience very often that there is a lacking, I don't know if it is will or ability or understanding for this group when they come to Norway. And they also have the right to health services in the same way as Norwegian children. But they are often dismissed, no, you, you just wait until you move to another reception centre, and you are only going to live here for a short while and that is… I feel and experience that they basically stand at the end of the line. So it is a denial of responsibility. From one place to another. Yes." (Interview with Linda, County Governor's Office)

The discrepancy between the ideas of universal access as noted in the basic pillars of the welfare system and the practice where a group of vulnerable individuals is neglected and once left on the borderlines is striking. Norwegian state as a rational entity, being present in the form of rules and institutions such as that of equal access to health services for all children on its territory, maintains its image of a welfare society that takes care of those who need help and assistance. However, placed at the end of the line, being sent from one place to another and waiting for someone to pay attention and provide them with the help they need, asylum-seeking children meet the Norwegian state in a different form. Staying illusive and distant, but producing real consequences and vulnerability, the Norwegian state keeps its magical presence that defines the experience of those living in its margins.

Contributing to the continued ambivalence and lack of responsibility is the uncertainty maintained through the unreadability of rules and regulations. Talking about whose responsibility it is to ensure proper follow up of mental health issues among asylum-seeking children, Linda explains:

"It is welfare Norway. It is the health service. And it is the role of the representative to ensure that they get the care they need. And very often, they don't achieve anything. And then it is the role of the representative to, so not to argue, it doesn't work that way. But to take the legal role, like parents do in such situations. And they have to write a complaint, a written complaint as it works in Norwegian public administration. And that too can be difficult sometimes. They become frustrated because they don't achieve anything. And it is not always they are familiar with exactly what they are supposed to do. So they ask for guidance. And then it is just about directing

them to the right places where they can complain. They cannot do more than that."
(Interview with Linda, County Governor's Office)

The arbitrariness of the system that Linda illustrates, corresponds to the tensions described in chapter four where access to a psychologist is not granted to everyone, and the circumstances for obtaining medical help are defined by a lack of transparency. In the conundrum of actors, the unreadability of rules and regulations allows for "the oscillation between the rational and the magical to become the defining feature of the state in such margins" (Das 2004, 234). In this oscillation, through spaces of despair responsibility for the wellbeing of asylum-seeking children is transferred from one actor to another, leaving them alone in their despair and powerlessness. By maintaining a distance from responsibility, the aspect of discipline that the conceptualization of margins in this chapter implies is questioned. Is the lack of provision of health services to asylum-seeking children a form of discipline? Moreover, what are the consequences of such discipline?

6.2 Wasted time, wasted lives

As I have shown through the previous chapters, with the Norwegian state penetrating the lives of asylum-seeking children, their sense of hopelessness grows. Living in the margins is not only defined through state's practices of legitimization and control, but also through children's sense of powerlessness to influence the time they spend there. Through the process of waiting for a letter confirming their biggest fears or most wishful dreams, the state remains elusive, yet present entering thus the very bodies of asylum-seeking children. Receiving medical help and assistance, as shown in this chapter, becomes another line at the end of which asylum-seeking children have to wait. In this highly political space, the matter of sovereignty moves beyond territorial protection as Scott (1998) sees it, and allows the political to enter the bodies of individuals (Foucault 1979, Agamben 1998). It is exactly the political will imposed through the state of exception, and not the will of any specific individual or institution that provides the environment in which the trajectory of exclusion can exist. Actualized in the real consequences on the well-being generally, and mental health more specifically, the magic of the state ensures smooth removal of asylum-seeking children from the Norwegian state.

6.2.1 **When the horizon disappears**

It is undisputable that asylum-seeking children come with great mental and psychological baggage given the fact that they have fled their home countries and embarked on a dangerous journey (Liden 2017, Valenta and Berg 2012). Often carrying stories of smuggling, encounters with the police, violence or abuse, the lives of these children are laden with stress, trauma and fear from an early age. Despite the challenges along the way, they endure and maintain their agency in their search for a safe haven driven by the image of a prospective future. Dadvar, in his drawing *Norway and Me* shows Norway like this (Figure 12):
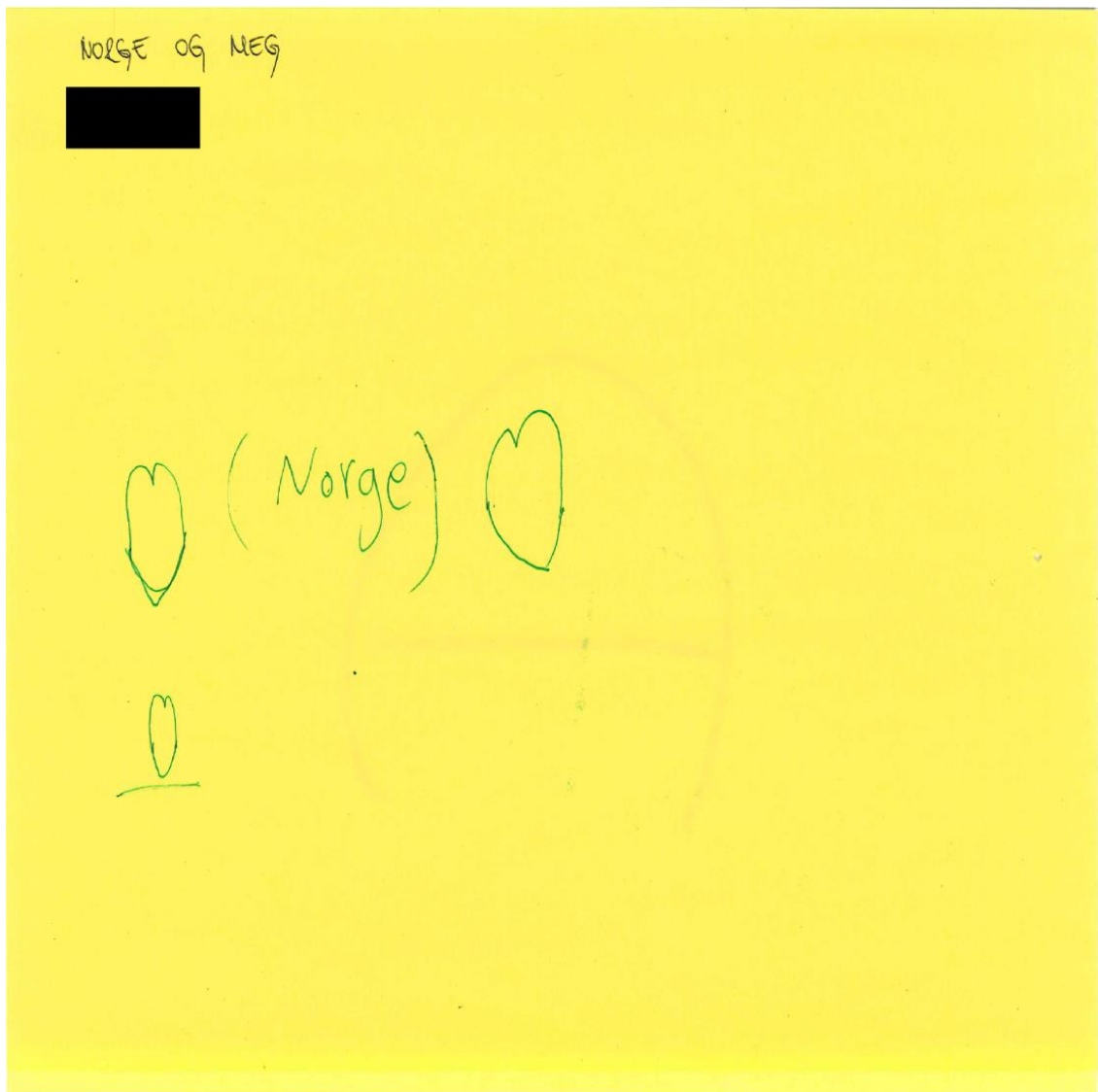

Figure 12 - Norway and Me

Talking to Badih about his choice to come all the way to Norway, he says:

"That is a nice question. So, when I was in Iran, and we were a group that was going to Europe. And we were going to Norway. And the majority has chosen that we are going to Germany for example. But I said why Norway. Here there is good people and can look at your application what kind of problem you have and then you can stay in Norway. That is why I chose that here maybe they can help me. (Interview with Badih, asylum-seeking child)

Badih told me about their journey in great detail explaining border crossings, transport in a trunk of a car, running away from the police, being given food and clothes by strangers until finally reaching the Norwegian border. At that time, he was 15. At the time of the interview, he was about to turn 18, having spent almost three years in five different asylum centres. Still living in uncertainty with an ID limited residence permit, his thoughts about Norway, are no longer as positive as they were before. Now, he says he is not so sure (Badih, Interview). Considering himself lucky, he also talks about what helps him continue going forward:

"I think that after that 15 year, that I turn 15, that I can say that I lost whole my life. I see nothing that I understand this is good. And I want to go to school and learn how one has to live, how I have to live and my life becomes better one day. It is important because I see a lot of difficult things that are actually very tough."(Interview with Badih, asylum-seeking child)

Having the possibility to go to school and focus on working towards a prospective future, keeps the horizon visible. However fragile, due to the challenge his residence permit entails, for Badih and children like him, there is a glimpse of a future on that horizon. Still defined and controlled by the Norwegian state, both through the possibility to decide whether he gets an extension of his residence permit and through the possibility to determine what services he gets access to, Badih's life is not in his hands. The Norwegian state and its written practices continue holding power over the establishment or dismantling of potential futures for asylum-seeking children. In this way entering the bodies of children like Badih, the state does not only exercise control over their legal status, but also over their lives in the present and in the future.

Among those with temporary residence permit, disillusionment with the Norwegian system, stemming from the discrepancy between what they imagined before coming and the reality they met, as expressed by Badih, becomes a major challenge for preserving

motivation and hope that has helped them survive atrocities and challenges spanning thousands of kilometres and several years. The magical presence of the state, in comparison to the excitement of great magical tricks, brings despair and destroys horizons that had thus far existed. The lack of activities, combined with boredom and a sense of wasting time, as shown in the previous chapter, removes the prospect of future from the lives of asylum-seeking children, leaving them with nothing but an empty present. As each magical act is followed by real consequences (Das 2004), I address depression, aggression and self-harm or suicidality as the three aspects of asylum-seeking children's mental health that dominate the conversations with both children and their legal guardians.

Depression

World Health Organization defines depression as "a common mental disorder, characterized by persistent sadness and a loss of interest in activities that you normally enjoy, accompanied by an inability to carry out daily activities, for at least two weeks" (WHO n.d.). Children seeking asylum define it not as a disorder, but as normality that characterizes everyday life.

Talking to Ahmed about the drawing of his week (Figure 8), he tells me that his week is empty because he does not have the wish to go to school, exercise or do anything. He has a temporary permit until he turns 18, and is still waiting on the decision to his appeal. Without calling it depression, he describes the feeling of sadness and loss of interest better than any scientific definition. Depression, or the emptiness and sadness Ahmed describes, is not a singular case, nor is his story more or less special than that of most other asylum-seeking children in Norway. While conducting fieldwork and trying to get access to asylum-seeking children willing to talk to me, the answer I got most often was that the children's mental shape was not good enough and that they were too depressed to talk to me. Respecting this, I tried asking those who did want to talk to me about their friends and how that affected them. Badih, who while worrying about having an ID restricted permit still tries focusing on the positive sides, says that he is most often alone because everyone else is bored or tired (Interview). Talking about how that affects him he says:

"Yes, I feel sad. Because, I, when I had a bit difficult thing, I feel that when a person comes to a country with difficult things and then they finally get to a country. And then when they come and wait for two years, and then get a positive or a negative. And then they have to run away from Norway to another country." (Interview with Badih, asylum-seeking child).

While it might be difficult to discern some of Badih's thoughts, his words go straight to the core of the challenge behind depression among asylum-seeking children. Coming from a troubled past, each of the children arrives to Norway expecting to leave that past behind. However, in the encounter with the Norwegian state they are not introduced to a new society, but to uncertainty. Awaiting a decision, not knowing whether it is going to be positive or negative, nor when you would actually receive it, all the power stays concentrated in the magical entity – the state. Reinforcing feelings of low self-worth and hopelessness which are common manifestations of depression (Given-Wilson, Herlihy, and Hodes 2016, 267), the Norwegian state through maintaining the absence of activities shown in the previous chapter participates in the creation of powerless individuals whose lives turn into emptiness.

Aggression

While conducting the interview with Ahmed, a group of boys interrupted us knocking on the door of the classroom. He briefly talked to them and came back. When I asked him what it was about, he said he had a fight with a boy living in the same asylum centre and that he did not want to talk about it. To my surprise, he said that fights among the boys living there were not unusual. As though trying to justify himself, he goes on to explain:

"I, for example, before was I much more patient, when someone jokes with me. Now, I received a rejection, and then I started being not so patient. When someone jokes with me, begin I to argue then I start to go to war with him. Because you become like that, it presses a lot in my head." (Interview with Ahmed, asylum-seeking child)

The pressure Ahmed refers to corresponds to the one he drew (Figure 8) explaining where he sees himself in Norway. Having been waiting for more than two years, and with his 18th birthday approaching, time for him becomes more visible than ever. Explaining that he has no plan for the time after he turns 18, fear and despair start dominating his everyday life. The subjective feeling of time, aggravated by the

uncertainty of legal status produced by the state delimits the space of despair in which children like Ahmed spend their last weeks of official childhood. In this space, left with no or very few options and with no horizon, patience becomes scarce and aggression often takes over.

Being a common mental health problem among asylum-seeking children (Given-Wilson, Herlihy, and Hodes 2016, 267), aggression demands correct treatment which, as shown earlier, children like Ahmed often don't get. On the contrary, signs of aggressive behaviour can serve to support the discourse on crimmigration introduced in chapter 4. Without receiving proper help, aggression becomes a tool for crimmigration, rather than an indication of despair and deteriorated wellbeing among asylum-seeking children.

Self-harm /Suicidality

"If a man dies here [in Norway], that is good. Because, if you kill yourself or take suicide, then they can deliver a coffin to Afghanistan. But in Afghanistan, if there is an explosion, there you are spread totally in like small parts. Then they cannot compile your coffin. But in Norway, it is good because one is sent back. When you take your life." (Interview with Ahmed, asylum-seeking child)

Death, suicide and self-harm are not unknown ideas to asylum-seeking children despite their age. Once in Norway, caught in between everyday emptiness and no psychological medical care, waiting starts questioning the purpose of such a life. Confronted with the alternative, which Ahmed explains through his view of a deportation to Afghanistan, death in Norway becomes a way out.

"It becomes stressful in asylum centres. The tense atmosphere and one feels that things have just stopped instead of receiving help they need to process the traumatic experiences. So one becomes more occupied by thinking about what would happen in two years for example. And that leads to a situation where many feel like they are in a hopeless situation and they try taking their own lives" (Interview with Magnus, NGO representative)

Tension and stress in asylum centres that Magnus refers to become daily reality for children living there. Furthermore, the lack of possibility of projecting themselves into the future that I showed in the previous chapter leaves asylum-seeking children with a

worthless present. In addition to the uncertainty of waiting, knowing they have been denied asylum further exacerbates the sense of hopelessness. As Badih explains:

"But when a boy receives a negative [answer to the asylum application] then they have no hope. If somebody tries telling him that yes, you have to kill yourself, they do it. Because they are completely stupid. They become scared. They have their difficult things and they come to a country and then after two years they receive a negative [answer], And it becomes super difficult. Even if they try learning the language. But there is no hope." (Interview with Badih, asylum-seeking child)

Loss of hope that leads to self-harm or suicide that Badih refers to, strikes at the very core of the issue in question – removal of the horizon. What had been the driving force for months or years, magically disappears leaving them with nothing but a worthless present. The waiting, as I argued earlier, becomes redundant, rendering the time spent wasted and life as such as worthless. Hidden in the illusion of magical disappearance are the carefully designed state practices that have been deployed to manage the margins. Stripping asylum-seeking children of almost all power to have an influence on their lives, the state ensures efficient governing, not only of its territory, but also of individual bodies. For the children, on the other hand, often the only way to regain autonomy and power over their lives is to take them away themselves.

6.3 Disposable bodies

Analysing the relations and interactions of asylum-seeking children and the Norwegian state in Spaces of despair, my goal was to answer the third research question of consequences that state practices of control and illegitimization have on the future and well-being of asylum-seeking children. In the interplay between its rational and magical presence, I showed that the Norwegian state manages its margins by establishing clear boundaries – boundaries of belonging, access, rights, responsibility. In this division, asylum-seeking children, not fitting into the imagery of the nation, nor sharing the same language, history and citizenship status, stay on the borderlines. In that marginal space, the children see how, what they considered to be their safe haven, the horizon, starts falling apart dismantling the prospects of future. On the other hand, through the created space of despair, the state continues penetrating the lives of asylum-seeking children, exercising sovereignty over "life and death" (Das and Poole 2004, 11).

Aligned with the borders of the state, the welfare system ensures care and protection for the most vulnerable, as long as they are on the inner side of the border. However, the written practices of the state ensure equal access to the services such as medical assistance or schooling also to the other children, such as Ahmed and Badih, due to their identity of being children. In practice, equal access is nothing but an empty promise, as asylum-seeking children while waiting at the end of the line learn that the margins run through the very core of the society leaving them on the outside. In the blurriness of what is written and what is practiced, children experience the magic of the Norwegian state. Looking at the quality of life characterized by mental health problems such as depression, aggression or suicidality, the question of whether that even counts as life, becomes inevitable.

State of exception and the power it grants the state to exercise new rules and regulations over certain groups or individuals becomes again relevant for understanding how sovereignty is practiced in the margins. Moving cautiously through spaces of (il)legitimization, control and finally despair, the state forges identities for asylum-seeking children devoid of almost all power or meaning. Whether characterized through mental health issues or simple emptiness and worthlessness, their lives become bare as they "can be taken by anyone without any mediation from law and without incurring the guilt of homicide" (Das and Poole 2004, 11). Differing from Agemben's *Homo Sacer* (1998), lives of asylum-seeking children do not have to end with death and homicide. By leaving them to wait in uncertainty, fearing the deportation and life in Afghanistan, the act of killing is left to the children themselves. Whether by starting a new journey fleeing to a different European country putting life in danger again, or by committing suicide in order to have your body sent back home in one peace as Ahmed explains, lives of asylum-seeking children are stripped of value and all but the last agency.

7. In the Margins between the Rational and the Magical

In this study, I embarked on the ambitious journey to tell a story of exclusion; that during the time of study became a story of differentiation, control and removal that forms what I call *the trajectory of exclusion*. Throughout the three analytical chapters – S*paces of (Il)legitimization*, *Spaces of Control* and *Spaces of Despair* – I address the processes such as the use of language, expert knowledge, and legal framework, as well as the mechanisms of control and disposal that together build the trajectory of exclusion. My starting point were the three boys, Ahmed, Badih and Dadvar, so-called October children, who at a time when their future and even present were uncertain, guided me through their experiences of seeking asylum in Norway. In this situation of vulnerability, the constant lack of transparency, the perceived danger of remote decisions and the real consequences that the process imposes on them, the Norwegian state becomes the *magical state*. On the other hand, I also met the civil servants whose experiences of seeking their own form of refuge in the written practices of the state, its institutions and regulation in order to manage the burden of discretionary decision-making, introduced me to the state in a different, rational form. In this oscillation between the rational and the magical practices of the state, I explored the theme of my main research question: *How is the removal of asylum-seeking children legitimized and facilitated in Norway, a country known for its care for children?*

My main tool for the exploration of this research question has been a multilayered analytical framework through which I immersed myself in the politically and emotionally contested asylum field while maintaining the necessary distance research demands. Building on Scott's (1998) definition of the state as utilitarian and in need to ensure effective governance thereby deploying various mechanisms that render unruly populations easier to control, I moved on to finding new ways of understanding the state and its modus operandi. With the rational form of governance on the one side, I use the concept of the magic of the state (Das 2004) to fill in the gaps and explain the elusive yet mundane presence of the state that defines the lives of asylum-seeking children in Norway. Finally, structuring my analyses along the margins conceptualized as spaces of tension between legibility and illegibility of state practices, containers for the unruly

populations and spaces of struggle between body, politics and discipline (Das and Poole 2004), I situate asylum-seeking children in the very margins of the Norwegian state. There, in those margins, rules of the game change and the state of exception (Agamben 2005) becomes a tool for introducing and legitimizing the process of exclusion.

Using such an analytical framework, I arrived to the gloomy image of wasted childhoods and lives ready for disposal, I asked myself where did the children whose journeys tell stories of agency, strength and bravery disappear? Having crossed multiple borders, thousands of kilometers and having carried a heavy baggage of trauma and stress in the search for a safe haven, the borderlines of the Norwegian state turn out detrimental for the wellbeing and mental health of asylum-seeking children. While the rational practices of the state explain the framework in which the written practices and institutions that shaped the lives of asylum-seeking children are situated, it is the magic – its real consequences, lack of transparency, danger and vulnerability – that open up for a different understanding of the Norwegian state and the situations in its margins; it is in the magic that the children full of hope, disappear into abyss. While no good magician uncovers the tricks to the audience, as a mere spectator, I will expose the results arising when asylum-seeking children engage with the magic of the Norwegian state.

The *real consequences* that asylum-seeking children face are not manifested solely in their deteriorated mental health condition. Rather, the consequences span a range of issues that define their lives while waiting for a decision on their asylum application; the visibility of time emphasized by waiting and emptiness of the everyday, leads to the feeling of wasting not only time, but entire lives. The adoption of new identities forged by the state result in the loss of history, individuality and even rights to equal treatment. As in any magical endeavor, the *lack of transparency* is essential for magic to succeed. In the uncertainty of who and in which way can be granted access to a psychologist, the blurry lines of control, as well as in the struggle between legibility and illegibility of its practices, the state remains an elusive and overwhelming power. Through the lack of transparency, not knowing what to expect, the *danger* of being deported or labeled as unlawful or illegal enters the lives of asylum-seeking children. Finally, in every uncertainty, whether what the future will bring, when the waiting would end or how their stories will be interpreted, asylum-seeking children are prone to *vulnerability*. It is

the combination of all the four aspects of magic as defined by Das (2004) that facilitates the process of removal of asylum-seeking children; changing from strong and hopeful individuals to a vulnerable group ready for disposal, the process of waiting in a space neither inside nor outside strips them of almost any power and autonomy over their own lives.

When I started writing this thesis, the Norwegian government in its rational form had just enforced a temporary stop on deportations of asylum-seeking children with temporary residence permits. October children, overwhelmed by a combination of fear and hope, got the chance to get their applications reassessed. As I finish writing this thesis, the deadline for submitting applications for reassessment is approaching, and in the waiting, uncertainty and potential danger of the new decision, the magic of the state becomes even more profound.

While proper ethnographic fieldwork at an asylum centre and a higher number of interviews with asylum-seeking children would have potentially provided me with the possibility of seeing also agency, friendship and support, aside from the despair conveyed to me by the three children, I find it important to express as clearly as possible the perspective that the children's stories and events in this field portray. Staying true to the ethical responsibility, the researcher has to make sure that the stories of those individuals whose voices are not as loud get heard, I hope that this study opens up for new explorations of the Norwegian state and its practices.

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Appendix A: List of Informants

	Name	Role / Position
1	Shahu	Asylum-seeking child speaking at the demonstration
2	Ahmed	Asylum-seeking child
3	Badih	Asylum-seeking child
4	Dadvar	Asylum-seeking child
5	Farjad	Previously asylum-seeking child (arrived in 2009)
6	Kathrina	Legal Guardian
7	Susanne	Legal Guardian
8	Caroline	Legal Guardian
9	Sunøve	Legal Guardian
10	Magnus	Representative from Non-Governmental Organization
11	Christoffer	Representative from Non-Governmental Organization
12	Linda	Civil Servant from the County Governor's Office
13	Jacob	Civil Servant from the County Governor's Office
14	Ida	Civil Servant from the County Governor's Office
15	Cecilie	Civil Servant from UDI
16	Åse	Expert researcher
17	Tanja	Expert researcher

Appendix B1: Interview guide for asylum-seeking children

1. Personal information and background

- Could you tell me a bit about yourself?

*Ask about hobbies, sports, interests

- How long have you lived in Norway?

*Ask about the different places where they have lived and what they liked/disliked

2. Current status in the application process

- What kind of permit do you have?

- When did you apply / get the answer?

- What is the next step?

3. Information about the arrival process to Norway – telling the personal story

- Could you tell me about the first things you did when you came to Norway?

* Ask about the encounters with the police, age tests, legal guardians, asylum interview)

- Introduce the task: *Life before/now/in the future*

4. Daily activities and descriptions of the daily routine

- Introduce the task: *Weekly schedule*

- Structure the conversation around their answers

* Ask about the activities and how they feel on different occasions

5. Their place in Norway

- Introduce the task: *Norway and me*

*Ask about the people, the language, the institutions..

*Ask about the services available: going to school, to the doctor, to a psychologist

6. Who is around them

- Introduce the task: *Who is around me*

*Ask about the different people they mention and the relationship they have with them

7. Main hopes, goals and expectations

- Introduce the task: *What is in the way?*

*Ask about what their goal is, how they are trying to achieve it, who is helping them, what is difficult

8. Perception of the stories of other asylum-seeking children they know

9. Things they want to tell and I haven't asked

Appendix B2: Interview guide for elite interviews[22]

1. **A bit about the person**

- Background, current role, tasks associated with it

2. Involvement with the field pertaining to asylum-seeking children in Norway

- Previous tasks, experiences

3. Perception of the asylum field in Norway today

- Generally and more specifically regarding unaccompanied minors

4. Main challenges when working with the topic

5. Description of the process of applying for asylum/assessing asylum applications

- As detailed description as possible from the different perspectives, role of the concept of the best interest of the child, ethical dilemmas one encounters

6. Access of asylum-seeking children to the welfare services

- Special focus on health and mental health services

7. Asylum centres

- What they are supposed to be, what they are, how they are regulated

8. Legal guardians

- Their role, challenges they encounter

9. Situations of human trafficking and disappearances

- Responsibility, ways of dealing with it

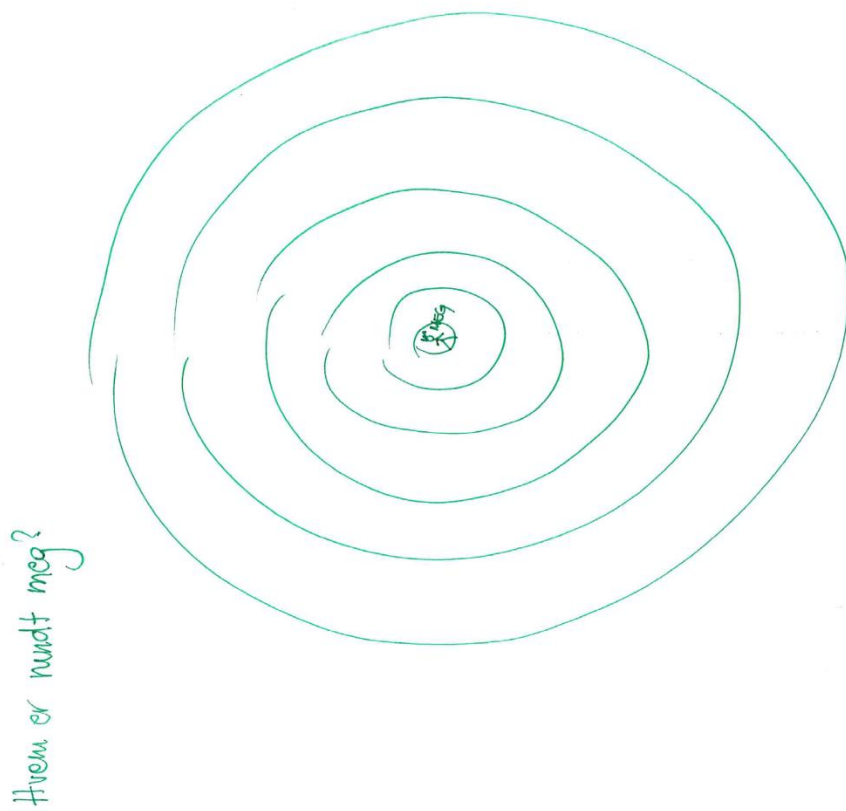**10. The position of the legal framework in the political context**

- Influence of politics on the situation and their work

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[22] This interview guide was tentative and adapted to the different groups of informants

Appendix C: Timetable

Min uke

Mandag | Tirsdag | Onsdag | Torsdag | Fredag | Lørdag | Søndag

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Appendix D: Network

Hvem er rundt meg?

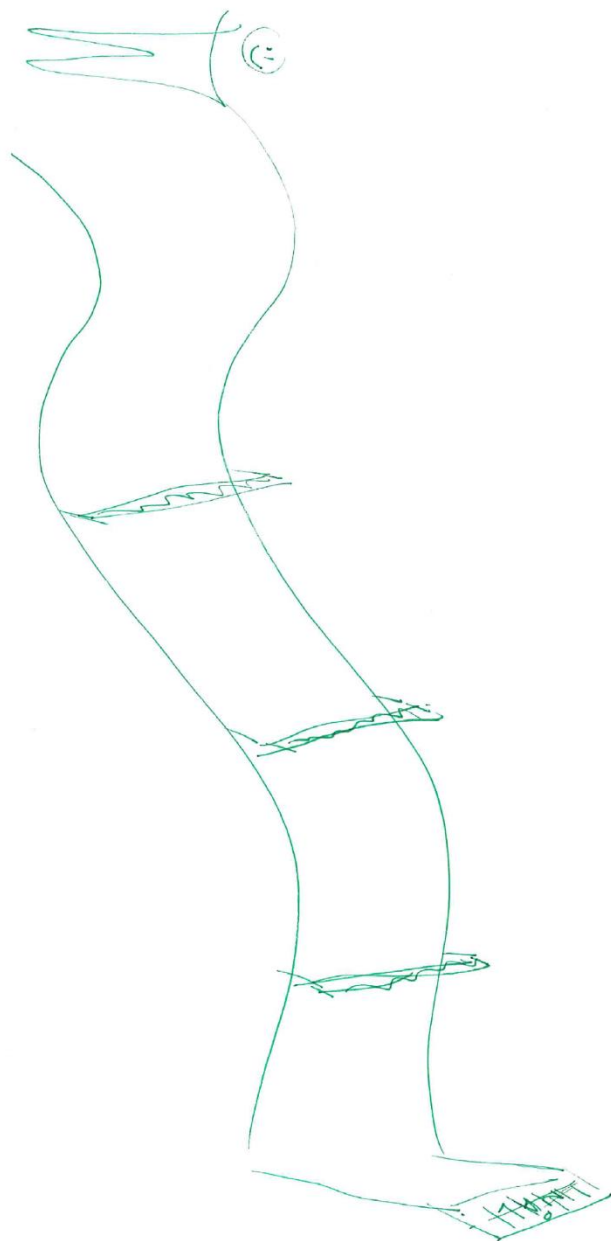[24] Translation: Who is around me?

Appendix E: Challenges along the Way

Hva står i veien?[25]

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[25] Translation: What is standing in the way; Goal

Appendix F: Consent for participation in the research project[26]

Request for participation in the research project: "Unaccompanied minors on the borders of citizenship in Norway"

Background and Purpose

The research conducted is a part of a master's thesis project at the Center for Development and Environment of the University of Oslo. The project aims at understanding the concept of citizenship in the welfare state on the margins of society where invisible borders determine who, why and in which ways can or cannot be considered a citizen. Given the recent influx of refugees in Norway, and other European countries, this project looks into the situation of unaccompanied minors - asylum seekers, refugees and those with a temporary residence permit by examining their own and external perceptions of the situation.

Your participation in this interview will provide valuable insight into the current situation of unaccompanied minors in Oslo by giving personal perspective on the issue and thus ensuring access to information not available in official documents.

What does participation in the project imply?

In the project a triangulation of academic literature, official documents analysis and qualitative interviews will be used for collecting data. In addition, while being present at the reception places for unaccompanied minor refugees, participant observation will be conducted in a limited due to the short number of hours spent at the location.

Questions asked in the interview will concern your position, your background, your role, your subjective impressions and opinions.

The interview will be audio-recorded, in addition to notes-taking.

Information collected through observation will be used for creating a better impression of the conditions faced by all project participants.

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[26] I used the same consent form to obtain the permission to conduct research from all informants, with the slight modification in the parts in the brackets where legal guardians gave consent for interviewing asylum-seeking children

What will happen to the information about you?

All personal data will be treated confidentially. Access to the data collected will be restricted to my supervisor, Sidsel Roalkvam, and myself.

The data will be stored with all due precautions, including a separate storage of the list containing names and contact details of interviewees from the rest of the data.

I will ensure the anonymization of the collected data used for the publication of the thesis; participants shall not be recognizable.

The project is scheduled for completion by May 2018.

Voluntary participation

It is voluntary to participate in the project, and you can at any time choose to withdraw your consent without stating any reason. If you decide to withdraw, all your personal data will be made anonymous.

If you would like to participate or if you have any questions concerning the project, please contact Stasha Stojkov (+4794427742; stasas@student.hf.uio.no) or my supervisor, Sidsel Roalkvam (+4722858796; sidsel.roalkvam@sum.uio.no)

The study has been approved by the Data Protection Official for Research, NSD - Norwegian Centre for Research Data under case number 55135 / 3 / LAR.

Consent for participation in the study

I have received information about the project and (as a legal representative) herby give consent (for *name of the asylum-seeking child*) to participate.

(Signed by participant, date)