
Article:
Sandelind, C. (2019) Can the welfare state justify restrictive asylum policies? A critical approach. Ethical Theory and Moral Practice, 22 (2). pp. 331-346. ISSN 1386-2820

https://doi.org/10.1007/s10677-019-09989-3

Can the welfare state justify restrictive asylum policies?

A critical approach

For liberal egalitarians, a generous welfare state and open asylum policies represent important values that states should seek to realise. What happens if they are incompatible? There are economic, social and political reasons for why they might be. Refugees may, for example, become an economic challenge to the welfare state. Or, increased diversity may erode national solidarity underpinning redistribution. If this is the case, can the welfare state justify restrictive asylum policies?

Rather than providing a definite answer, in this paper I ask how political theorists should relate to the *empirical* concerns underpinning this question. My aim is to show that political theorists, whether they adopt an *ideal* or *realist* approach to the justificatory role of empirical facts in normative theorising, should seek to provide a *critical* description of the welfare state/asylum conflict. This entails analysing not only the politics and economics of contemporary welfare states and asylum policies, but the power structures, institutions and discourses that underpin the alleged conflict. It entails being aware of whose voices are heard and whose agency counts in political theorising on asylum and the welfare state. This way, normative answers to the question can better address the power structures and root causes of the conflict, rather than unwittingly reproducing them.

To this end, I start by very briefly outlining the welfare state/asylum conflict. Next, I discuss realist and idealist approaches to such empirical constraints on asylum policies and propose a critical perspective. I then discuss two accounts of the welfare state/asylum conflict, one ideal and one realist, put forward by Matthew Gibney (2004) and Björn Östbring (2017). Throughout, I use Sweden as a case study: a progressive welfare state that has recently introduced several restrictions on asylum to protect the welfare state. Resistance against differentiating rights within the welfare state, to possibly expand the state's capacity to admit refugees, has been a prominent argument among progressives favouring restrictive asylum policies. I argue that Gibney's and Östbring's normative reasons for seeking to protect the welfare state are appealing, and that if combined their ways of compensating against the claims of refugees are morally acceptable. Yet, the case of Sweden illustrates, several of the arguments in favour of protecting the welfare state weaken considerably once we view the conflict from

a more critical perspective. Such perspective reveals, for example, methodological nationalism in the description of citizens' moral commitments towards asylum seekers and of the supposed need for national solidarity to support the welfare state. The consequence is normative recommendations biased towards the voices and agency of the 'majority' citizen of national welfare states.

The focus of this paper is on refugees, rather than on immigration in general. While there is some overlap, it is important to keep categories of migrants separated as we cannot assume that all movements across international borders raise the same moral issues. Throughout the paper, I assume that liberal democratic welfare states have extensive moral obligations to admit refugees (for various accounts of the moral bases of these obligations, see e.g. Gibney 2004; Owen 2016; Souter 2014).

Welfare State Constraints on Refugee Admissions

The welfare state may engender two main constraints on generous asylum policies. One is economic/organisational and one is social/political. Economic constraints refer to the economic sustainability of a particular welfare state model. In the short term, asylum seekers and refugees require housing, school places and often financial and legal assistance. The latter imposes mainly financial costs, but housing and school places pose logistical problems as well. There are only so many houses that can be built or so many teachers that can be recruited or trained in the short term. In the long term, refugees may become economic burdens on welfare states if they do not integrate on the labour market. A study of Sweden's refugee population demonstrates that most of the fiscal costs stem from lower labour market participation, rather than higher public spending costs (Ruist 2018). Finally, the egalitarian ethos of universal welfare states require that resources are redistributed non-selectively. Welfare dualism, where immigrants enjoy a fewer set of rights initially or indefinitely, undermines welfare universalism. But resisting welfare dualism can raise the costs of refugees, as they are immediately entitled to a wide set of social rights. Of course, these are not necessary effects and refugees bring many economic benefits (D'Albris et al 2018). Yet it may also be the case that universal welfare states (with highly regulated labour markets) are specifically susceptible to higher costs.

The social/political welfare state constraints on asylum policies concern the *motivations* of current citizens to support redistributive policies. The welfare state includes many benefits, but these are not equally distributed amongst the population. In particular, those who are well-off

seem to have fewer reasons based on self-interest to support social redistribution. To fill this motivational gap, nationalist scholars have suggested that citizens must regard themselves as a group of co-nationals. This way, the pull of an affective identity will motivate people to support redistribution even when this is not directly supported by self-interest (e.g. Miller and Ali 2015; Banting and Kymlicka 2017). The shared identity, it is claimed, elicits solidarity among compatriots. But this solidarity is now premised on the bounded nature of the imagined 'us'. Refugees may undermine this sense of solidarity by being perceived as 'the other'.[1]

Perhaps even more so in public than in scholarly debates, these kinds of empirical concerns, whether accurate or not, shape how we think about (the limits of) states obligations to refugees. This is clearly demonstrated in the case of Sweden.[2] At the end of 2015, Sweden had received a record number of asylum seekers, prompting the Social Democratic-Green coalition government to introduce several restrictive measures to reduce the numbers. They claimed that basic social services could no longer cope. Initially seen as temporary measures, restrictive asylum policies have since become viewed as a prerequisite for the universal egalitarian welfare state. A controversial election poster from the Swedish Social Democrats in 2018 depicted a border control police, captioned with a promise to protect and develop 'the Swedish Model', a term commonly used to describe the welfare state.[3] In a research interview, a Social Democratic representative agreed that protecting social and economic equality, and resisting welfare dualism, can be more important than generous asylum policies.[4] The next section engages in a methodological debate on how empirical facts should be included in normative theory. I suggest that what matters more than whether one adopts an ideal or realist approach, is that a one approaches 'reality' critically.

Realism or Idealism

[1] See Nils Holtug (2017) for an excellent analysis of this alleged relationship.

[2] The focus here is on the welfare state as a reason for restricting asylum policies, which was a strong factor in bringing about the policy change. However, that was not the only reason why restrictions were implemented. It could be argued that an increasing threat from the extreme right was another reason; there is no room to assess the importance of these various reasons here.

[3] To view the poster, visit for example: http://news.cision.com/se/socialdemokrater-for-tro-och-solidaritet/r/s-kampanj-kritiseras-for-rasistiska-undertoner,c2369428 (Accessed 2018-07-31)

[4] This was discussed in a research interview with a Swedish Social Democrat in 2018.

There is by now a familiar debate within political theory between so called realist and idealist approaches. There are many aspects of this debate, and many meanings to both realism and idealism. I specifically take issue with one central claim made in this debate, which both 'sides' tend to agree on. This is the idea that realism and idealism are both part of the same continuum – the more realist a theory, the more action-guiding. I suggest that theorists should pay more attention to *how* they describe reality, rather than assuming that one can easily move between realist and idealist perspectives by 'accepting' more or less of reality. Political theorists of migration have debated the role and accuracy of some of the empirical concerns outlined above (e.g. Pevnick 2009; Holtug 2017). However, few have engaged in a methodological discussion on how theorists should engage with the evidence presented by the social sciences, especially in a way that enables normative analysis of the power structures that underlie a conflict like the one between the welfare state and asylum policies. One notable exception is Alex Sager (2016; 2018) who has shown how the empirical assumptions of political theorists of migration are often tainted by methodological nationalism that masks power structures and skews normative conclusions. He argues that 'political theorists should turn to questions of power, causality and responsibility' to enable a 'more nuanced understanding of migration and its moral implications' (Sager 2016: 56). In this section, I emphasise how political theorists can answer the question of whether the welfare state can justify asylum restrictions only when they move beyond the 'continuum view' of realism and idealism and adopt a critical perspective.

First, we must distinguish between two strands of realism within political theory. Matt Sleat (2016) has described these as, on the one hand, conceptual realism, and, on the other hand, methodological realism. Methodological realism suggests that political theorists must incorporate facts about the social and political world, including contingent facts, into normative theorising (e.g. Miller 2013). The central concern is political feasibility of normative ideals. Idealism fails in this regard, methodological realists claim, because at best they accept hard, immutable facts about the world, but dismisses that which is contingent yet pervasive. Idealism, in contrast, aspires to be fact-insensitive, at least with regards to contingent facts about human behaviour and the social and political world (Estlund 2014). Conceptual realists take issue with 'moralism' in political theory, which they also ascribe to methodological realists (Sleat 2016). They suggest that political theory should not be about 'applied ethics', but about how legitimate political order can be established and maintained given that politics is 'a site of perpetual struggle for power and dominance' (Sleat 2016: 31). They also take issue with the idealist claim that political principles should be judged according to whether they would be adopted in a

scenario of full compliance with principles of justice, arguing that this eradicates the political from sight.

The differences between idealism and the two forms of realism, I want to suggest, is not as stark as portrayed, at least not in practice. Many differences, though not all, boil down to conflicting descriptions of reality. Bar perhaps Cohen (2003), few political theorists assume no contingent facts about the world. To get off the ground, theorists must assume some facts about the world and most of them tend to be contingent. This is certainly the case with both asylum seekers and the welfare state, both constructions of the modern nation-state system rather than 'natural' phenomena of human existence. Ideal theorists often assume more facts then they recognise, as Charles Mills (2005) has pointed out: their assumptions about universal or 'hard' facts about the world often turn out to reflect the world as viewed by the white, male, privileged gaze. Instead, much of the difference between conceptual realists, methodological realists and idealists, at least in relation to how empirical constraints such as those described above should be incorporated in normative theory, is not primarily *whether* facts should play a role, but *what* facts.

To elaborate, there is a ubiquitous claim that the difference between (especially methodological) realism and idealism is that the former is more action-guiding than the latter. Idealism and realism are just two end-points on a continuum:

> On the one hand, the less real-world factual constraints are taken into account in the design of a normative political theory (which is meant to apply to the real world), the more practically ineffective its principles are likely to be (Valentini 2012: 659).

This continuum view is repeated frequently in the literature (Mason 2016; Carens 1996; Woodward 1992; Miller 2016b; 219). Theorists can choose where on the continuum to place themselves depending on how much they want to say about what should be done here and now. Discussing realist and idealist approaches to immigration, Joseph Carens (1996) makes this claim. He argues that in the short-term, political theories of immigration must take into account some realities to be action-guiding. These realities include states' discretionary right to control their borders, that few countries are willing to accept significant numbers of refugees for resettlement, the risk of a 'racist' backlash against generous immigration policies, national identities and resulting compatriot biases (Carens 1996: 159-162). Yet in the long-term, many of these assumptions are themselves unjustifiable and an idealist perspective is needed, Carens

suggests, to shed light on entrenched injustices. Accordingly, there is no principled difference between realist and idealist approaches, only different levels of concern with political feasibility. For Carens, what disrupts realist theory is the normative values we can abstract from ideal theory. What often needs disrupting, however, is the description of reality that underlies the realist approach. And such disruption may alter the recommended actions, rather than moving theory closer to a more abstract and unattainable ideal.

Normative theories described as idealist often turn out not to be *less* concerned with facts, but concerned with *different* facts than the realist position. Take for example Carens's idealist (1987) argument for open borders. He relies on an analogy between the current state system and a feudal system. He claims that global injustices are perpetuated by state discretion over who to let in and that therefore, from a global justice perspectives, borders should be opened. A large part of the argument is a description of reality that highlights global structural injustices. If those injustices did not exist, this particular argument for open borders would not hold. Does this make the open borders argument realist by assuming contingent facts about the world? Compare the argument to David Miller's realist view against open borders. At one point, Miller (2016a: 47-48) discusses the argument that open borders are necessary to achieve global equality of opportunity. He dismisses it based on the independence of states, arguing that in the absence of shared global institutions the principle of equality of opportunity only applies domestically. This assumption about the independence of states has been forcefully criticised as a case of methodological nationalism (Sager 2018). In the case of global injustices, and certainly many of the conflicts producing refugees today, arguably it is precisely *inter*dependence, such as the legacy of colonialism and effects of global capitalism, that is the cause. So, who is more realist? The open borders argument that is based on an understanding of the 'real' causes of global inequality, or the one in favour of states' right to exclude that is based on an 'idealised' view of state independence? And, who is more action-guiding? If we want to tackle global inequalities, which view would prescribe the best policies, here and now? Perhaps open borders would not be beneficial to reducing global inequality, but the view that states are independent will surely not get us far either.

This example highlights that the continuum view of realism/idealism misses an important aspect of normative theorising, namely a critical perspective on what facts that are being assumed. The continuum view leads us to ask *how much* of reality a theorist is assuming, rather than *what kind* of reality that is portrayed through a particular normative theory. This leads us away from a more critical engagement with descriptions of reality, even though this is often

what disagreement is about.[5] No theorists can claim to have the superior or final description of reality, or to have chosen the optimal level of abstraction, or to have an epistemically neutral positionality. Yet a critical perspective is needed to emphasise, drawing on Raymond Geuss' notion of 'the entanglement between the normative and the descriptive in political theorizing', that one cannot choose whether to include a description of reality in political theory if one is to theorise about human societies at all, but that one can reflect on the description itself (Prinz 2016: 789; see also Geuss 2008: 37-38). Without accepting any wider claims about the role of contextualisation and the possibilities of abstract normativity, the important point for our purposes is that:

> [political] theorists are advised to approach their surroundings with suspicion, to be wary of what is alleged to be actual and to inquire into how this has come to be viewed as actual (Prinz 2016: 785).

A central concern is the role of power; how it shapes the 'reality' theorists must relate to, but also how it shapes who becomes heard through the writing of the political theorist. The importance of inquiring into 'the production of knowledge' in political theory is stressed by Sager (2018: 69), who is proposing a 'critical cosmopolitan approach to mobility' that seeks to 'contest relationships of domination and hierarchy'.[6] A critical approach also draws on work by Critical Border Studies, which focus on how bordering *practices* control mobility, construct identities and social and political relations (Parker and Vaughan-Williams 2012: 729), not least through the welfare state (Guentner et al 2017). A critical perspective, finally, adopts a broadened understanding of the political, looking especially at how discourses and epistemic biases condition what is politically feasible and what is viewed as acceptable knowledge in public debates (cf. Mills 2017: 49-71). Turning now to the specific question of refugees and the welfare state, I ask how a critical perspective change how we normatively address the proposed conflict.

Protecting the Welfare State

[5] Another example of how the difference between the realist and idealist approaches often amount to disagreement about descriptions of reality, is the conceptual realist view of politics as inherently and primarily conflictual, leading to their normative recommendation to make order and stability overriding values. This has been criticised by Miller (2016c), a methodological realist, for exaggerating the level of disagreement in many modern societies, putting forward a reductive account of politics and human motivation as always pulling towards conflict.

[6] See also a discussion by Mihaela Mihai (unpublished manuscript).

Most political theories of migration have focused on a possible conflict between immigration and domestic social justice, but there are a few, both realist and idealist, that specifically discuss when trade-offs between *asylum* and the welfare state may be permissible. This section draws out how these accounts, as presented by Björn Östbring (2017) and Matthew Gibney (2004), conceptualise the normative value of the welfare state compared to the rights of refugees, from realist and idealist perspectives. I argue that they present some cogent arguments in favour of protecting the welfare state. However, as the following section will demonstrate, they also ultimately reproduce structures and discourses of dominance that may not only be unjust, but counter-productive to maintaining the social bases for the welfare state.

First, however, we must ask at what point, if any, the welfare state is threatened by the effects of refugee admissions? This depends, firstly, on what kind of welfare state we would like to preserve. As I indicated at the start, a more universal welfare state, where differentiated rights undermine the basic model, with a heavily regulated labour market, may be more vulnerable to the admission of refugees, if their composition is significantly different to the overall population in terms of skills. If we follow Östbring and Gibney, who maintain, respectively, that the welfare state is fundamentally important as a social and political order and to protect the partial moral experience of humans, then there is no particular welfare state design that needs to be protected. Rather, a level of stability is required, whatever the welfare model, so that expectations stemming from welfare institutions that people's lives and relationships rely on are not suddenly overturned.

Nonetheless, potential indicators of welfare state decline may include; reduction of generalised trust and trust in institutions; reduction in support for the welfare state; decreased willingness to comply with the welfare state, such as by paying taxes; increasingly overstretched social services, health care and schools with resultant increased crime, poverty, mortality and school drop-out rates, as well as increased inequality. Of course, most of these indicators will have nothing to do with refugees. To the contrary, in many countries immigration is necessary to secure the functions of the welfare state. The example of Sweden shows a somewhat different picture, however. Whilst the economy is strong, recent large number of asylum applications have put some strain on welfare services (SOU 2017:12). The cost of refugee admissions is, by recent calculations, lower than many assume, but compared to the rest of the population, unemployment among refugees is very high (Ruist 2018). Moreover, a very large proportion

of pupils in immigrant-dense[7] areas graduate without basic qualifications.[8] In the Swedish case, therefore, there may indeed be some cause for concern of the long-term consequences for the welfare state of extensive refugee admissions. This may partly be due to the specific universal nature of the Swedish welfare state (although it is worth noting that many benefits in Sweden are contribution based and thus, in practice, differentiated). It has been argued that it is the strongly regulated labour market (part of this particular model of welfare capitalism) that hinders low-skilled refugees from getting jobs, though this is disputed among economists (e.g. Bergh 2014; Hållo 2016). In any case, as long as reforms are not too drastic, welfare state stability can be preserved meanwhile the welfare state model is transformed to one that can more easily absorb a larger number of refugees.

Yet why should we care about any potential effects on the welfare state, good or bad, in the face of refugees' rights? What is the value of the welfare state that is worth protecting? Östbring (2017), who also writes about the Swedish case, maintains from a realist (both conceptual and methodological) perspective the importance of social order to prevent the evils resulting from human conflict and disagreement. The welfare state, he suggests, is a form of social and political order. Once the welfare state is in place, he points out, it creates pervasive dependency on the benefits and services that the welfare state provides, and not just among the least well-off. This deep dependency means that the welfare state becomes an encompassing social and political order. Without it, most people's lives in welfare states would not function. Its demise would have far reaching, unpredictable and hugely destabilising consequences. This argument is appealing because the dependence on the welfare state of most people in liberal democracies, and the expectations that this creates, is hard to deny. As opposed to other similar accounts (e.g. Woodward 1992), Östbring advances this as a historical and political argument, rather than a moral one. His main concern is not whether the expectations of citizens are just/ideal or not, but what they mean for the maintenance of social and political order.

It is possible to disagree that maintaining order is the trumping value of politics, yet accept that asylum policies can be restricted when some functions of the welfare state are threatened with collapse. David Owen (2016), for example, holds that refugee admissions can be limited if there is a risk to the provision of basic rights of those already living in that state. Carens (1992:

[7] Whilst I refer to these areas a 'immigrant-dense', the composition of the immigrants tends to be dominated by refugees or the relatives of refugees.

[8] https://www.sydsvenskan.se/2018-06-03/over-halften-klarar-inte-skolan-i-utsatta-omraden

33) likewise identifies that states are not obliged to admit refugees if such admittance would '[destroy] the capacity of the society to provide basic services to its members'. In modern liberal states, the welfare state is the institution that secures the provision of basic rights and services. If one is concerned about the provision of basic rights and services, one ought to be concerned with the *long-term* sustainability of the welfare state. Rather than drawing the ultimate limit at the point where the state can no longer provide for basic rights, Östbring demonstrates that we have good reason to draw the limit at the point where the welfare state, i.e. a more expansive provision of basic and non-basic rights and services, becomes destabilised. (A similar view is taken by Gibney (2004: 227) when he moves from ideal to non-ideal theory.) This is because the everyday, deep dependence on the welfare state of citizens makes it a powerful source of order and stability. This stability seems likely to be seriously undermined well before the state has reached the point where basic rights can no longer be provided. Thus, before embarking on a more critical analysis, as the section does, a realist account of the value of the welfare state provides some reason to protect it, perhaps even against the claims of refugees.

Before embarking on the critical critique, how does an ideal theory conceptualise the value of the welfare state in contrast to the claims of refugees? On the second account discussed here, Gibney (2004) constructs an ideal theory of asylum obligations drawing on Thomas Nagel's (1991) 'divided' account of impartial and partial moral obligations. On this view, impartial and partial moral obligations, i.e. those that we have towards all humans contra those that we have towards a special subset of all humans or to ourselves, cannot be ordered into a hierarchy where one always takes precedence. Instead, they both represent valid sources of moral obligations and must be balanced. Partial obligations, or 'personal morality', carry independent normative weight because they represent an important aspect of the human moral experience (Gibney 2004: 79). Special commitments, Gibney (2004: 81) insists, 'make us the distinct individuals we are'. There is a limit to the sacrifices we can be asked to make on the basis of impartial commitments, because we cannot ignore the 'pressing attachment we each have to our own projects and to the particular others in our lives' (Gibney 2004: 79). To always favour the impartial moral view is to ignore an important aspect of what it is like to be human. On this basis, Gibney argues that the welfare state, consequently constitutive of partial commitments following Gibney's reasoning, can justify some restrictions on asylum policies of liberal democratic states:

> To demand that a (Western) state show equal concern and respect to those *beyond* the state is to ask it to pursue policies that in all likelihood would undermine those practices and institutions that make for a semblance of equality and social justice *within* the state […].

He goes on to argue that states should be allowed to restrict entry to protect not just basic liberal rights, but also a 'generous' welfare state that can secure domestic economic justice (2004: 83).

To see why Gibney's incorporation of partial morality into a theory of asylum has some merit even in 'ideal' theorising, it helps to compare his argument to another ideal account of migration. Chris Bertram (2018) uses Rawls's original position to determine what global system of migration would be justified to all humans from an impartial standpoint. He deprives the parties in the original position of much personal knowledge, such as their nationality, preferences and attachments, but provides them with knowledge of 'things that are essential prerequisites for living a decent life' (Bertram 2018: 58). Discussing how these parties would reason about different migration systems, he dismisses that they would choose a 'modified *status quo'* in which states remain the main actors, with a right to exclude immigrants but with responsibilities to people beyond their state as well. The reason for this dismissal is that such system relies on the methodologically nationalist assumption of states as 'containers', ignoring interactions between states and especially the voices unrepresented or marginalised by states (Bertram 2018: 65). This is an important objection to much theorising about migration. Yet one may wonder why this fact about the 'actual world' – the inaccuracy of the container view – should be included in the original position while partial moral attachments and preferences should not? In the actual world, which Bertram is concerned with when criticising methodological nationalism, these attachments are very strong indeed and, along the lines of Gibney, one may suggest that they are a prerequisite of a decent life. Indeed, Bertram (2018: 75) does allow for the preservation of cultural integrity to play some role in justifying restrictions on movements.

Cultural or national identity are not, however, the only or necessarily the most important forms of partial attachments. Rather, the central point is how the welfare state is integral to most people's life plans, attachments and relationships. To follow Gibney's argument, because the welfare state is such a dominant factor in conditioning our existence, indeed it shapes our very attachments and interests, its preservation is important for maintaining the personal interests that make us who we are. Without it, most people's lives would become unrecognisable. This is undesirable not only from the point of view of basic rights, but given the partial, or personal,

experience of human morality. The comparison to Bertram demonstrates that once ideal theorising takes a more critical approach to assumptions about the 'real' world, the assumption that only impartial morality has normative value may *also* be questioned. The task for a more critical approach, discussed further below, is not to determine what is contingent and what is not, but rather what is fundamental to human well-being and what is underpinning injustices. Insofar as the welfare state is essential for the former, some restrictions to asylum policies may be justified.

Yet fundamental questions remain about when concerns for a specific welfare state can permit restrictive asylum policies, and who is entitled to make such a judgement. On Gibney's (2004: 242) account, when he moves to the non-ideal, states can judge for themselves. However, states also have a duty to alter the (political) constraints that limit their capacities (Gibney 2004: 244). To Östbring (2017: 115), what matters is what the alternatives for refugees are. Arguably, these two proposals must be combined if asylum restrictions based on welfare concerns are ever to be justified. The alternatives to refugees must be acceptable *and* states must aim to mitigate the constraints on further refugee admissions.[9] I have argued for a similar approach elsewhere (Author 2017), albeit with a much more expansive concept of what constitutes acceptable alternatives for refugees than Östbring's, who seems to be content with a minimalist concept not including membership in a new state. It is beyond the scope of this paper to discuss acceptable alternatives in more detail. Instead, what is important for my purposes is the descriptive analysis of the constraints themselves. Mitigation of empirical constraints, for example, can only be effective if root causes and existing power structures are challenged. Yet theories describing the welfare state/asylum conflict tend instead to reproduce structures and discourses of dominance. Consequently, the action-guiding normative recommendations end up not being too abstract or too idealistic, not too devoid of 'reality', but based on an uncritical view of 'reality'.

A Critical Perspective

[9] Arguably, the Swedish state has failed on both these accounts when implementing recent asylum restrictions. Given the absence of a global or regional responsibility-sharing refugee scheme, there are no acceptable alternatives for refugees who would otherwise have found asylum in Sweden. And the Social Democrats initially justified restrictions by claiming that they would be used to increase Sweden's long-term asylum capacity, they now seek to make the restrictions permanent.

In this final section, I assess the Swedish case to consider some of the arguments made by Gibney and Östbring from a critical perspective. So far, I have contended that the welfare state as a source of social and political order, as well as a foundation of individuals' personal attachments and projects, provide us with good reasons to be concerned with its long-term sustainability. To justify restrictive asylum policies, however, I have suggested along Gibney and Östbring, that in addition to ensuring acceptable alternatives for refugees, states must aim to mitigate or challenge the causes of the welfare state/asylum conflict. To this end, a critical analysis of such causes is necessary.

First, consider the implication of Gibney's argument, that the welfare state is important from the perspective of 'partial morality', while the claims of asylum-seekers are important for 'impartial morality'. When we consider the citizens of refugee-hosting (welfare) states, many of whom shelter refugees, volunteer to aid refugees or campaign for refugees' rights, the distinction becomes blurred. During the refugee crisis of 2015, for example, thousands of unaccompanied minors, mainly boys from Afghanistan, applied for asylum in Sweden. Their fate rose to the top of the political agenda in 2018, as parliament voted to allow some (around 9000) to stay if they continue their studies, despite that their asylum claim has been denied and that they have turned 18 during the process. Those against argued that these particular asylum-seekers put too much strain on the welfare state, thus a claim for citizen-partiality. Yet many Swedish citizens had come to care deeply for these young men. Some of the host families even refer to the Afghans as their children, offering to take their place and be sent to Afghanistan themselves.[10] Thus, given the diverse interests and attachments of citizens, it is a mistake to portray asylum policy as one of impartial morality, against the partial morality of the welfare state.

It may be argued that citizens' personal attachments to specific refugees should not determine a state's asylum policies, let alone the rights of refugees. Yet if the partial interests and attachments of citizens are to carry moral weight in determining the relative importance of the welfare state, then we must at least consider the citizenry as a whole (even if we were willing to exclude the partial interests of refugees). The assumption that issues of asylum are about impartial obligations contra the partial interests of citizens privileges an understanding of refugees as an unknown 'mass' (or 'flood', 'flow', 'wave') compared to the presumed familiarity of co-citizens. Bertram's (2018: 65) critique of methodological nationalism is on

[10] https://www.expressen.se/gt/min-son-riskerar-att-dodas-med-en-penna/

point when he highlights how it privileges 'the voices that get heard within states: the solid citizen from the dominant ethnicity, the median voter' (Bertram 2018: 65). Sarah Fine (2017) has similarly pointed out the diversity of interests and relationship of citizens. Many citizens may have strong transnational connections, while perceiving their co-citizens as 'strangers' (Fine 2017: 732). Indeed, it is not so clear that the welfare state is best described as an expression of partial moral commitments towards a *collective*, even though I maintain that it is a foundation of our *personal* attachments and projects. Such description only makes sense if we already assume the nation-state view of a special relationship between compatriots who share a national identity. And yet, not only may the welfare state itself *create* such sense of national identification by institutionalising certain group boundaries, many citizens may understand their contributions to the welfare state as contributions to the welfare of strangers. The view that asylum is about impartiality and the welfare state about partiality may therefore perpetuate power structures that give voice to the 'majority' citizen, imagined as feeling a special bond with their co-nationals and lacking transnational or trans-cultural ties.

Second, both accounts discussed above rely on the claim outlined at the start, that diversity undermines social solidarity; by now a common objection to extensive immigration in general (e.g. Miller 2016a; Banting and Kymlicka 2017). Gibney, for example, does not allow asylum restrictions based on the *moral* claim to preserve a cultural identity, but argues that 'reproducing peoples with a common identity' is of 'strategic importance' as it forms the social basis of social solidarity in the welfare state (Gibney 2004: 84). The evidence of a positive effect of national identity on social solidarity is, at best, mixed (e.g. Johnston et al 2010; Hall 2017), while it is clearer that many people prefer to redistribute amongst people who they identify with (e.g. Ford 2016; Gilens 1996). Unless one views the categorisation of people in ethnic, cultural or national identity groups as primordial, however, this research literature does not demonstrate that cultural diversity per se is a problem, but that racism or ethnocentric bias is. In other words, preferences for in-group redistribution, which undermine support for redistribution to refugees and welfare universalism, rely on the existence of in-group and out-group categorisations that map on to co-nationals and refugees. What is interesting from a critical perspective is how those categorisations are constructed and maintained.

In the Swedish case, ethnocentric bias in redistributive attitudes can be linked to the development of the welfare state itself and the way it is entangled with nationalist discourse. At least two different forms of, concomitantly existing, nationalism have characterised Sweden in the past two centuries. Both can be understood in relation to the welfare state. First, up until

at least World War Two, a close link was made between the ethnically homogenous nation and the welfare state (Borevi 2017). Most infamously, this took its form of state-sponsored eugenics research. Discrimination and state violence against the Roma minority was one result, most infamously through forced sterilisation, but also through for example a ban on Roma immigration (DO 2004). Moreover, there is a trajectory in Sweden of restricting refugee admissions to protect the welfare state. Mirroring the contemporary debate on refugees as a welfare state burden, restrictive refugee measures at the end of the 1980s were claimed to be necessary to protect the welfare state (Hinnfors et al 2012). The premise of the national welfare state has always been the right to violently exclude 'the other', both internally and externally, constructing and upholding in-group and out-group categorisations.

The other form of Swedish nationalism is a paradoxical way of denying cultural difference while pursuing homogenising egalitarian norms through the welfare state. Despite supposedly pioneering state multiculturalism from the 1970s to the 1990s (Borevi 2017), Sweden has never embraced the notion that the (welfare) state can treat groups of individuals differently, or that ethnic or other group loyalties can be positive (Johansson Heinö 2012). Contemporary Swedish nationalism is characterised by the *denial* of cultural particularity (Towns 2002), also a common complaint amongst proponents of nationalism in the late 19th and early 20th century. At least since the 1960s 'Sweden was understood as a modern, forward-looking country in no need of traditions or symbols' (Johansson Heinö 2009: 305). This nationalism views the state as emancipator; the state secures the freedom of the individual who, because she is protected by the welfare state, does not need to rely on any other form of collective, such as the family, clan, cultural group and so forth (Trädgårdh and Berggren 2006). Consequently, Swedes are not viewed as culturally *different* from others, but rather as more modern and further along a civilisation process – as more *advanced*. Refugees are not different, but more *backwards*, more tied to their cultural practices. The welfare state is viewed as an effective remedy to such backwardness, as it can modernise, civilise and liberate those still 'stuck' in the collective and culturally specific.

The result is sometimes intolerance against cultural difference, such as strong opposition to faith schools and Muslim headscarves, as well as epistemic ethnocentric biases. Ethnic Swedes are seen to possess a privileged epistemic position by virtue of their superior unencumbered rationality, compared to the culturally constrained refugee. This is channelled through the welfare state, which is tasked with enlightening the refugee. For example, the Liberal Party has recently proposed to make nursery compulsory for refugee children to promote language

learning, as well as the integration of women who would no longer be at home full-time, implying a 'liberation' of refugee women through their involuntary incorporation in the welfare state.[11] And the Social Democrats have pledged to ban faith schools, often (wrongly) imagined mainly as Muslim schools, arguing that 'religious influencing' is not compatible with 'the Swedish model'.[12] The implication is that only the child who go through the 'neutral' Swedish state school system (of course strongly influenced by Christian traditions) can be truly free. These examples illustrate how the Swedish nationalism that emphasises Sweden as more civilised constructs in-group and out-group categories, partly through the (coercive) welfare state.

This reading of the Swedish case suggests that (some of) its basis for national belonging and solidarity breeds intolerance and prejudice, and creates a discursive categorisation that reinforces refugees as a different social, political and epistemic category. These discourses are institutionalised through the welfare state. To overcome ethnocentric bias in redistributive attitudes, the welfare state and discourses on national belonging need to be reformed. And yet, to the contrary, the recent restrictions on asylum, and the political discourse that has followed, have reinforced the social imagination of difference between citizens and refugees (Hjerm et al 2017). This was not least exemplified with the Social Democratic election poster directly positing asylum seekers as a threat to the welfare state.

Third, and relatedly, the argument that the welfare state must be tied to a sense of national belonging is marred by a methodological nationalism that privileges the nation over other forms of belonging. In the Swedish case, the liberal nationalist argument that economic insecurity gives rise to a need for national belonging masks a sedentarism bias highlighted by critical accounts of methodological nationalism (Sager 2016; Wimmer and Glick Schiller 2003). It masks that one of the most prominent responses to economic insecurity in Sweden in the past two centuries has been mobility, both domestic (as in most states, through urbanisation) and international. Between 1850 and 1930, 1.5 million Swedes emigrated to North America, due to poor economic conditions and an agricultural crisis (SCB 2004). How does this fact of mass mobility as a central part of recent Swedish history fit the nationalist description of a sedentary population, contained within a nation state, that must be protected against similar mobility of outsiders? In the national debate that followed mass emigration, the migrants were

[11] https://www.dn.se/nyheter/politik/l-vill-ha-obligatorisk-forskola-for-nyanlanda/

[12] https://www.socialdemokraterna.se/aktuellt/2018/forbud-mot-religiosa-friskolor/

often described as having abandoned their 'fatherland' and some blamed the exodus on a general lack of patriotism (Sundbärg 1911; Arnold Barton 1994). Economic and political inequality were also stressed as 'push-factors', which were compared to the perceived equality of America and lead to recommendations of democratisation and improved economic conditions to stem emigration (Sundbärg 1913).[13] Perhaps this alleged lack of 'national feeling' was a prerequisite for an emigration that spurred the development of a more democratic and egalitarian society, paving the way for the welfare state. If this is correct, and of course the analysis here is far too limited to ascertain this properly, then restricting asylum to protect a sense of belonging that is based on nationalism and sedentarism is not necessary to maintain social and political order as such, only the social and political order that privileges the nationalist, sedentary subject ahead of the mobile and the transnational.

Finally, in assessing the case for asylum restrictions to protect the Swedish welfare state, a critical approach urges us to consider whose voices and agency are being represented. In the accounts discussed above, the authors spend considerable time discussing the nature of the state, the welfare state and its citizens. The aims and motivations of refugees are only mentioned in passing. Gibney (2004) mentions that the aims of asylum seekers are important to motivate *citizens* to behave solidaristically (213), as well as the motivations of migrants who are not refugees but who may use asylum routes to escape poverty (259). Östbring (2017: X) briefly considers some alternatives to asylum in Western states like Sweden, without discussing how these alternatives my square with the aims and motivations of refugees. Östbring also assumes that if Sweden puts barriers to asylum on its territory, nothing bad will happen to refugees. This assumption is only plausible if one thinks that refugees will just stay put, rather than trying to seek a better existence despite increasing obstacles to doing so.[14]

The privileged political position of the (contributing and welfare receiving) citizen in Sweden is also evident in recent political debate on the fate of the 9000 Afghan teenagers discussed above. The teenagers have campaigned relentlessly to get to stay, gaining a lot of attention and support, eventually leading to the law being adopted in 2018 that opened the possibility for

[13] For a postcolonial critique of the Swedish welfare state and how views on inequality inspired by America neglected racial and colonial inequalities, see Bhambra and Holmwood (2018).

[14] It is also only plausible if one assumes the 'container view' whereby states' policies do not affect those of other states. This neglects how most states partake in a 'race to the bottom' in asylum policies, pushing refugees closer and closer to conflict areas.

their cases to be re-considered. One particular critique voiced by those against the new law is that it will undermine the rule of law. They argue that asylum cases should be determined by law, not politics, and not by who is able to make their voices heard.[15] Yet, of course, asylum laws *are* political and *do* depend on whose voices are heard. The restrictions on asylum that were implemented in Sweden in 2015/2016 were a direct result of local councils complaining that they were not able to cope with the high numbers anymore, and the fact that these restrictions are becoming increasingly permanent are a result of the successful campaigning by citizens and politicians who are keen to protect the welfare state. If anyone has the power to politically impact asylum policies, it is those citizens partaking in the redistributive community and who *on that basis* has what many view as, from the nation-state perspective, the *only* legitimate voice in the politics of asylum. These uneven power structures, whereby membership in the national welfare state provides one with the ability to determine the extent to which refugees' rights should be respected or sacrificed, are reinforced through theorising that neglects the aims, motivations and voices of refugees yet insists that those of citizens act as feasibility constraints on the policies that can be implemented.

What these examples from Sweden have sought to illustrate is that whether the welfare state, as a social and political order, or an institutionalisation of the personal moral experience, can justify asylum restrictions depend on how we describe the 'reality' that may make refugee admissions conflict with the welfare state. While at a first glance, the economic and organisational pressures asylum-seekers have imposed on the Swedish welfare state may affect its long-term sustainability, it is also the case that restricting asylum would perpetuate dominant power structures and in-group biases that can cause the social and political aspect of the welfare state/refugee conflict. This is at least so if restrictions are justified by the need for national belonging or a need to protect the partial moral commitments constitutive of the welfare state. Moreover, if states are to mitigate the empirical constraints on more generous asylum policies, a condition on the permissibility on restricting policies to protect the welfare state, they must address some deep-rooted understandings on national belonging, the 'civilising' role of the welfare state and the political subjects involved in determining asylum policies. Thus, the question of whether the welfare state can justify asylum restrictions does not depend on

[15] http://www.hallandsposten.se/%C3%A5sikter/ledare/debatten-ska-inte-avg%C3%B6ra-vem-som-f%C3%A5r-stanna-1.4782250

whether one 'accepts' more or less of 'reality', as the continuum view on political theory suggests, but on *how* reality is described.

Conclusion

I have sought to problematise the conflict between refugees and the welfare state by discussing how theorists approach the empirical concerns underpinning it. I have stressed the need for a critical perspective of how reality is described, moving beyond the 'continuum view' whereby the theorist can simply choose how much of reality to include in normative analysis. I make no claim to have presented an accurate description of the conflict between refugees and the welfare state. My aim has been to point out where a more critical approach would improve description and thereby alter action-guiding recommendations. I have maintained, following Gibney and Östbring, that there may be good reasons for wanting to protect the welfare state even in the face of the pressing needs of refugees, based on the welfare state as a social and political order and foundation of the personal moral experience. In the case of Sweden, there does seem to be some early warning signs that recent numbers of refugees have put strain on the universal welfare state.

However, many of the reasons put forward in favour of protecting the welfare state over refugees rely on methodologically nationalist assumptions and ignore the power relations and ethnocentric biases the national welfare state reproduces. In the case of Sweden, nationalist discourses and norms institutionalised in the welfare state contribute to constructing refugees as 'the other', breeding intolerance and ethnocentric biases, which in turn may undermine social solidarity in diverse societies. To protect the welfare state, it is therefore paramount to address these institutional and discursive issues, for example by reforming welfare state institutions in more multicultural ways and promoting a public discourse that does not privilege the voices of subjects imagined as sedentary, ethnically homogenous and welfare-contributing.[16] Thus, a critical approach can accept that the welfare state may justify restricting asylum policies based on some of the reasons outlined here, but only if these do not increase

[16] Such reforms may include making public services more flexible to cater for different cultures, such as allowing or funding a variety of schools and care homes. This is particularly relevant for a universal welfare state like the Swedish one, where private alternatives are restricted. Kymlicka (2015: 12) has also made some suggestions to this end, though with more focus on citizenship.

existing biases and structures of dominance – biases and structures that may in any case only deepen the conflict between generous asylum policies and welfare states.

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